

Uwr gkqt'Eqwtv'qh'Ecnkhtpkc"
Eqwpv\ "qh'Tkxgtukf g"
Tgs wguv'hqt 'F qo guke'Xkqrgpeg'Tgutckpkpi 'Qtf gt"
'*Y kj 'Ej krf tgp+ "
Eqxgt'Uj ggV"
"

Your Information:

"
P co g'*Hktuv.'O kf f rg.'Ncuv+<'Ci g<
Utggv'Cf f t guu<'<
Ek\ <'Ucvg<' \ kr 'Eqf g<'<
Vgrgr j qpg'P wo dgt '*j qo g'qt'egmwrt+<'<
"

Person You Want Protection From:

"
P co g'*Hktuv.'O kf f rg.'Ncuv+<'<
"O crg' "Hgo crg' "J gki j v<' "Y gki j v<' "Tceg<
"G{g'Eqmt' "J ckt'Eqmt' "Ci g' "F cvg'qh'Dkt yj' ""
"
"

Who Else Needs Protection, if anyone (family or household members)

.....
P co g'*Hktuv.'O kf f rg.'Ncuv+<'Ci g'Ugz<'<
Nkxgu'y kj '{qWA' "I gu' "P q' "T grv kqp'vq' '{qW<'<
"
P co g'*Hktuv.'O kf f rg.'Ncuv+<' " " " " " Ci g'Ugz<' " "
Nkxgu'y kj '{qWA' "I gu' "P q' "T grv kqp'vq' '{qW<'<
"
"
P co g'*Hktuv.'O kf f rg.'Ncuv+<' "Ci g'Ugz<'<
Nkxgu'y kj '{qWA' "I gu' "P q' "T grv kqp'vq' '{qW<'<
"

What Orders Do You Want?

RgtuqpcnEqpf wev'Qtf gt' "T gs wguv'f "P qv'T gs wguv'f "
Uc{/Cy c{'Qtf gt' "T gs wguv'f "P qv'T gs wguv'f "
Ur qwacn'Uwr r qtv' "T gs wguv'f "P qv'T gs wguv'f "
Ej krf 'E wuxqf {.'Xkukc v kqp.'('Uwr r qtv' "T gs wguv'f "P qv'T gs wguv'f "
O qxg/Qw'Qtf gt' "T gs wguv'f "P qv'T gs wguv'f "
Tgeqtf 'Wprcy hwn'Eqo o wplec v kqpu' "T gs wguv'f "P qv'T gs wguv'f "
Rtqr gtv\ 'Eqpvtqn' "T gs wguv'f "P qv'T gs wguv'f "
Rtqr gtv\ 'Tgutckpv' "T gs wguv'f "P qv'T gs wguv'f "
Cpko cn'Rquuguukqp' "T gs wguv'f "P qv'T gs wguv'f "
Dcwtgt'k'pvtxgpv kqp'Rtqi tco' "T gs wguv'f "P qv'T gs wguv'f "
Cwqtpg{'Hegu'cpf 'Equu' "T gs wguv'f "P qv'T gs wguv'f "
Fgdv'Rc{o gpv' "T gs wguv'f "P qv'T gs wguv'f "
Qj gt'Qtf gtu' "T gs wguv'f "P qv'T gs wguv'f "
Rc{o gpv'hqt'Equu'cpf 'Ugtxlegu' "T gs wguv'f "P qv'T gs wguv'f ".....
.....

What is a “domestic violence restraining order”?

It is a court order that can help protect people who have been abused or threatened with abuse.

Can I get a domestic violence restraining order?

You can ask for one if:

- A person has abused you or threatened to abuse you *and*
- You have one of the following relationships with that person: married, divorced, separated, registered domestic partnership, have a child together, dating or used to date, live together or used to live together*;
- Or you are related within the second degree of affinity or consanguinity. This means: mother or mother-in-law, father or father-in-law, child or stepchild or legally adopted child, grandparent or grandparent-in-law, grandchild or grandchild-in-law, sister or sister-in-law, brother or brother-in-law, stepparent, daughter-in-law or son-in-law. The in-law must be through a current marriage. (See Family Code § 6211).

* You have to regularly reside in the household.

What is abuse?

Abuse means to intentionally or recklessly cause or attempt to cause bodily injury to you; or sexually assault you; or to place you or another person in reasonable fear of imminent serious bodily injury; or to molest, attack, hit, stalk, threaten, batter, harass, telephone, or contact you; or to disturb your peace; or destroy your personal property. Abuse can be spoken, written, or physical. (See Family Code §§ 6203, 6320).

How soon can I get the order?

The judge will decide within one business day whether or not to make any temporary orders. Sometimes the judge decides sooner. Ask the clerk if you should wait or come back later to get copies of the *Notice of Court Hearing* (Form DV-109) and *Temporary Restraining Order* (Form DV-110).

What if I don't have the relationship necessary to qualify for a domestic violence restraining order?

There are other kinds of orders you can ask for:

- Civil harassment order (can be used for neighbors, roommates, cousins, uncles, and aunts)
- Dependent adult or elder abuse restraining order
- Workplace violence order

Ask the court clerk for the forms you need for these special kinds of orders, or visit www.courts.ca.gov. You may also want to talk to a lawyer.

How will the restraining order help me?

The court can order the restrained person to:

- Not contact or go near you, your children, other relatives, or others who live with you
- Not have any guns or ammunition
- Move out of your house
- Obey child custody and visitation orders
- Pay child support
- Pay spousal support
- Obey orders about property

How do I ask for a domestic violence restraining order?

The forms are available at any California courthouse or county law library or at: www.courts.ca.gov/forms.

You may get assistance in completing and filing your request from the court's self-help center or a legal aid association.

After completing the forms, give them to the clerk of the court. The clerk will write a hearing date on the *Notice of Court Hearing* (Form DV-109). If your request for temporary orders is granted, the clerk will also give you a copy of the *Temporary Restraining Order* (DV-110) signed by a judicial officer.

See Form DV-505-INFO, *How Do I Ask for a Temporary Restraining Order?* to know which forms you need and for steps to follow after you complete the forms.

How long does the order last?

If the judge makes a temporary order, it will last until the hearing date. At that time, the judge will decide to continue or cancel the order. The restraining order can last up to 5 years. Child custody, visitation, child support, and spousal support orders can last longer than 5 years and they do not end when the restraining order ends.

How much does it cost?

Nothing.

How will the person to be restrained know about the order?

Someone who is at least 18—**not you** or anyone else to be protected by the order—must “serve” (give) the person to be restrained a copy of the order in person. The sheriff or marshal will do it for free, but you have to ask. For help with service, ask the court clerk for form DV-200-INFO, *What Is “Proof of Personal Service”?* or visit www.courts.ca.gov.

What if the restrained person doesn't obey the order?

Call the police. The restrained person can be arrested and charged with a crime.

Do I have to go to court?

Yes. Go to court on the date the clerk gives you. If you do not, your order will end.

Do I need a lawyer?

Having a lawyer is always a good idea, especially if you have children, but it is not required. You are not entitled to a free court-appointed lawyer. Ask the court clerk about free and low cost legal services and domestic violence help centers in your county. You can also go to the Family Law Facilitator for help with child support.

Do I need to bring a witness to the court hearing?

No. But it helps to have proof of the abuse. You can bring:

- A written statement from a witness, made under oath
- Witnesses
- Photos
- Medical or police reports
- Damaged property
- Threatening letters, e-mails, or telephone messages

The judge may or may not let a witness speak at the hearing.

So if possible, you should bring their written statement under oath to the hearing. (*You can use Form MC-030, Declaration, for this purpose.*)

Will I see the restrained person at the court hearing?

If the restrained person comes to the hearing, yes. But that person does not have the right to speak to you. If you are afraid, tell the court officer. Read *Get Ready for the Court Hearing* (Form DV-520-INFO).

Can I bring someone with me to court?

Yes. You can bring someone to sit with you during the court hearing. But that person cannot speak for you in court. Only you or your lawyer (if you have one) can speak for you.

What if I don't speak English?

When you file your papers, ask the clerk if a court interpreter is available. If the interpreter is not available for your court date, bring someone to interpret for you. Do not ask a child, or anyone to be protected by the order, to interpret for you.

What if I don't have a green card?

You can get a restraining order even if you are not a U.S. citizen. If you are worried about deportation, talk to an immigration lawyer.

What if I am deaf or hard of hearing?

Assistive listening systems, computer-assisted real-time captioning, or sign language interpreter services are available if you ask at least five days before the proceeding. Contact the clerk's office or go to www.courts.ca.gov/forms for *Request for Accommodations by Persons With Disabilities and Response* (Form MC-410). (Civil Code, § 54.8.)

Need more information?

Ask the court clerk about free or low-cost legal help. For a referral to a local domestic violence or legal assistance program, call the National Domestic Violence Hotline:

1-800-799-7233

TDD: 1-800-787-3224

It's free and private.

They can help you in more than 100 languages.

Can the restrained person and I agree to cancel the order?

No. After the order is issued, only the judge can change or cancel it.

Can I use the restraining order to get divorced or terminate a registered domestic partnership?

No. These forms will not end your marriage or registered domestic partnership. You must file other forms to end your marriage or registered domestic partnership.

Can the order stop the other parent from taking our children away?

If you get a temporary restraining order that includes an order for custody, the parent with custody may not remove the child from California before notice to the other parent and a court hearing on the request to establish or modify custody. Read the order and Form DV-140, *Child Custody and Visitation Order*, if issued, for any other limits. There are some exceptions. Ask a lawyer.

What if I want to leave the county or state?

The restraining order is valid anywhere in the United States. If you move out of California, contact the local police so they will know about your orders.

You must also complete Form CLETS-001, Confidential CLETS Information, and give it to the clerk when you file this Request.

Clerk stamps date here when form is filed.

1 Name of Person Asking for Protection:

Age: _____

Your lawyer in this case (if you have one):

Name: _____ State Bar No.: _____

Firm Name: _____

Address (If you have a lawyer for this case, give your lawyer's information. If you do not have a lawyer and want to keep your home address private, give a different mailing address instead. You do not have to give your telephone, fax, or e-mail.):

Address: _____

City: _____ State: _____ Zip: _____

Telephone: _____ Fax: _____

E-Mail Address: _____

Fill in court name and street address:

Superior Court of California, County of

Court fills in case number when form is filed.

Case Number:

2 Name of Person You Want Protection From:

Description of person you want protection from:

Sex: ☐ M ☐ F Height: _____ Weight: _____ Hair Color: _____ Eye Color: _____
 Race: _____ Age: _____ Date of Birth: _____
 Address (if known): _____
 City: _____ State: _____ Zip: _____

3 Do you want an order to protect family or household members? ☐ Yes ☐ No

If yes, list them:

| Full name | Sex | Age | Lives with you? | Relationship to you |
|-----------|-------|-------|----------------------------------------------------------|---------------------|
| _____ | _____ | _____ | <input type="checkbox"/> Yes <input type="checkbox"/> No | _____ |
| _____ | _____ | _____ | <input type="checkbox"/> Yes <input type="checkbox"/> No | _____ |
| _____ | _____ | _____ | <input type="checkbox"/> Yes <input type="checkbox"/> No | _____ |

☐ Check here if you need more space. Attach a sheet of paper and write "DV-100, Protected People" for a title.

4 What is your relationship to the person in 2 ? (Check all that apply):

- a. ☐ We are now married or registered domestic partners.
- b. ☐ We used to be married or registered domestic partners.
- c. ☐ We live together.
- d. ☐ We used to live together.
- e. ☐ We are related by blood, marriage, or adoption (specify relationship): _____
- f. ☐ We are dating or used to date, or we are or used to be engaged to be married.
- g. ☐ We are the parents together of a child or children under 18:
 Child's Name: _____ Date of Birth: _____
 Child's Name: _____ Date of Birth: _____
 Child's Name: _____ Date of Birth: _____
- ☐ Check here if you need more space. Attach a sheet of paper and write "DV-100, Protected People" for a title.
- h. ☐ We have signed a Voluntary Declaration of Paternity for our child or children. (Attach a copy if you have one).

If you do not have one of these relationships, the court may not be able to consider your request. Read Form [DV-500-INFO](#) for help.

This is not a Court Order.



5 Other Court Cases

a. Have you or any other person named in ③ been involved in another court case with the person in ②?

☐ No ☐ Yes *If yes, check each kind of case and indicate where and when each was filed:*

| <u>Kind of Case</u> | <u>County or Tribe Where Filed</u> | <u>Year Filed</u> | <u>Case Number (if known)</u> |
|-------------------------------------------------------------|------------------------------------|-------------------|-------------------------------|
| <input type="checkbox"/> Divorce, Nullity, Legal Separation | _____ | _____ | _____ |
| <input type="checkbox"/> Civil Harassment | _____ | _____ | _____ |
| <input type="checkbox"/> Domestic Violence | _____ | _____ | _____ |
| <input type="checkbox"/> Criminal | _____ | _____ | _____ |
| <input type="checkbox"/> Juvenile, Dependency, Guardianship | _____ | _____ | _____ |
| <input type="checkbox"/> Child Support | _____ | _____ | _____ |
| <input type="checkbox"/> Parentage, Paternity | _____ | _____ | _____ |
| <input type="checkbox"/> Other (specify): _____ | _____ | _____ | _____ |

☐ Check here if you need more space. Attach a sheet of paper and write "DV-100, Other Court Cases" for a title.

b. Are there any domestic violence restraining/protective orders now (criminal, juvenile, family)?

☐ No ☐ Yes *If yes, attach a copy if you have one.***Check the orders you want. ☒****6 ☐ Personal Conduct Orders**

I ask the court to order the person in ② not to do the following things to me or anyone listed in ③:

- a. ☐ Harass, attack, strike, threaten, assault (sexually or otherwise), hit, follow, stalk, molest, destroy personal property, disturb the peace, keep under surveillance, impersonate (on the Internet, electronically or otherwise), or block movements
- b. ☐ Contact, either directly or indirectly, in any way, including but not limited to, by telephone, mail or e-mail or other electronic means

*The person in ② will be ordered not to take any action to get the addresses or locations of any protected person unless the court finds good cause not to make the order.***7 ☐ Stay-Away Order**

a. I ask the court to order the person in ② to stay at least _____ yards away from (check all that apply):

- | | |
|----------------------------------------------|----------------------------------------------------------------|
| <input type="checkbox"/> Me | <input type="checkbox"/> My vehicle |
| <input type="checkbox"/> My home | <input type="checkbox"/> The child(ren)'s school or child care |
| <input type="checkbox"/> My job or workplace | <input type="checkbox"/> Each person listed in ③ |
| <input type="checkbox"/> My school | <input type="checkbox"/> Other (specify): _____ |

b. If the person listed in ② is ordered to stay away from all the places listed above, will he or she still be able to get to his or her home, school, job, workplace, or vehicle? ☐ Yes ☐ No *(If no, explain):***8 ☐ Move-Out Order***(If the person in ② lives with you and you want that person to stay away from your home, you must ask for this move-out order.)*

I ask the court to order the person in ② to move out from and not return to (address):

I have the right to live at the above address because (explain): _____

This is not a Court Order.

9 Guns or Other Firearms or Ammunition

I believe the person in ② owns or possesses guns, firearms, or ammunition. ☐ Yes ☐ No ☐ I don't know
If the judge approves the order, the person in ② will be ordered not to own, possess, purchase, or receive a firearm or ammunition. The person will be ordered to sell to, or store with, a licensed gun dealer, or turn in to law enforcement, any guns or firearms that he or she owns or possesses.

10 ☐ Record Unlawful Communications

I ask for the right to record communications made to me by the person in ② that violate the judge's orders.

11 ☐ Care of Animals

I ask for the sole possession, care, and control of the animals listed below. I ask the court to order the person in ② to stay at least _____ yards away from and not take, sell, transfer, encumber, conceal, molest, attack, strike, threaten, harm, or otherwise dispose of the following animals: _____

I ask for the animals to be with me because: _____

12 ☐ Child Custody and Visitation

- a. ☐ I do not have a child custody or visitation order and I want one.
b. ☐ I have a child custody or visitation order and I want it changed.

If you ask for orders, you must fill out and attach Form DV-105, Request for Child Custody and Visitation Orders.

You and the other parent may tell the court that you want to be legal parents of the children (use Form DV-180, Agreement and Judgment of Parentage).

13 ☐ Child Support (Check all that apply):

- a. ☐ I do not have a child support order and I want one.
b. ☐ I have a child support order and I want it changed.
c. ☐ I now receive or have applied for TANF, Welfare, CalWORKS, or Medi-Cal.

If you ask for child support orders, you must fill out and attach Form FL-150, Income and Expense Declaration or Form FL-155, Financial Statement (Simplified).

14 ☐ Property Control

I ask the court to give **only** me temporary use, possession, and control of the property listed here: _____

15 ☐ Debt Payment

I ask the court to order the person in ② to make these payments while the order is in effect:

☐ Check here if you need more space. Attach a sheet of paper and write "DV-100, Debt Payment" for a title.

Pay to: _____ For: _____ Amount: \$ _____ Due date: _____

16 ☐ Property Restraint

I am married to or have a registered domestic partnership with the person in ②. I ask the judge to order that the person in ② not borrow against, sell, hide, or get rid of or destroy any possessions or property, except in the usual course of business or for necessities of life. I also ask the judge to order the person in ② to notify me of any new or big expenses and to explain them to the court.

This is not a Court Order.



17 ☐ **Spousal Support**

I am married to or have a registered domestic partnership with the person in **(2)** and no spousal support order exists. I ask the court to order the person in **(2)** to pay spousal support. *(You must complete, file, and serve Form FL-150, Income and Expense Declaration, before your hearing).*

18 ☐ **Insurance**

I ask the court to order the person in **(2)** NOT to cash, borrow against, cancel, transfer, dispose of, or change the beneficiaries of any insurance or coverage held for the benefit of me or the person in **(2)**, or our child(ren), for whom support may be ordered, or both.

19 ☐ **Lawyer's Fees and Costs**

I ask that the person in **(2)** pay some or all of my lawyer's fees and costs.

You must complete, file, and serve Form FL-150, Income and Expense Declaration, before your hearing.

20 ☐ **Payments for Costs and Services**

I ask the court to order the person in **(2)** to pay the following:

*You can ask for lost earnings or your costs for services caused directly by the person in **(2)** (damaged property, medical care, counseling, temporary housing, etc.). You must bring proof of these expenses to your hearing.*

Pay to: _____ For: _____ Amount: \$ _____

Pay to: _____ For: _____ Amount: \$ _____

21 ☐ **Batterer Intervention Program**

I ask the court to order the person listed in **(2)** to go to a 52-week batterer intervention program and show proof of completion to the court.

22 ☐ **Other Orders**

What other orders are you asking for? _____

☐ *Check here if you need more space. Attach a sheet of paper and write "DV-100, Other Orders" for a title.*

23 ☐ **Time for Service (Notice)**

*The papers must be personally served on the person in **(2)** at least five days before the hearing, unless the court orders a shorter time for service. If you want there to be fewer than five days between service and the hearing, explain why below. For help, read Form DV-200-INFO, "What Is Proof of Personal Service"?*

24 ☐ **No Fee to Serve (Notify) Restrained Person**

If you want the sheriff or marshal to serve (notify) the restrained person about the orders for free, ask the court clerk what you need to do.

25 ☐ **Court Hearing**

The court will schedule a hearing on your request. If the judge does not make the orders effective right away ("temporary restraining orders"), the judge may still make the orders after the hearing. If the judge does not make the orders effective right away, you can ask the court to cancel the hearing. Read Form DV-112, *Waiver of Hearing on Denied Request for Temporary Restraining Order*, for more information.

This is not a Court Order.



26 Describe Abuse

Describe how the person in (2) abused you. Abuse means to intentionally or recklessly cause or attempt to cause bodily injury to you; or to place you or another person in reasonable fear of imminent serious bodily injury; or to harass, attack, strike, threaten, assault (sexually or otherwise), hit, follow, stalk, molest, keep you under surveillance, impersonate (on the Internet, electronically or otherwise), batter, telephone, or contact you; or to disturb your peace; or to destroy your personal property. (For a complete definition, see Fam. Code, §§ 6203, 6320.)

- a. Date of most recent abuse: _____
- b. Who was there? _____
- c. Describe how the person in (2) abused you or your child(ren):

☐ Check here if you need more space. Attach a sheet of paper and write "DV-100, Recent Abuse" for a title.

- d. Did the person in (2) use or threaten to use a gun or any other weapon? ☐ No ☐ Yes (If yes, describe):

e. Describe any injuries: _____

- f. Did the police come? ☐ No ☐ Yes

If yes, did they give you or the person in (2) an Emergency Protective Order? ☐ Yes ☐ No ☐ I don't know
Attach a copy if you have one.

The order protects ☐ you or ☐ the person in (2)

- g. **Has the person in (2) abused you (or your child(ren)) other times?**

If yes, ☐ check here and use [Form DV-101](#), Description of Abuse or describe any previous abuse on an attached sheet of paper and write "DV-100, Previous Abuse" for a title.

27 Other Persons to Be Protected

The persons listed in item (3) need an order for protection because (describe): _____

- 28** Number of pages attached to this form, if any: _____

I declare under penalty of perjury under the laws of the State of California that the information above is true and correct.

Date: _____

Type or print your name

▶ _____
Sign your name

Date: _____

Lawyer's name, if you have one

▶ _____
Lawyer's signature

This is not a Court Order.

Attachment to DV-100 - Item 3, Protected People

[illegible]

Attachment to DV-100, Item 4g, ChildrenUnder 18

[illegible]

This form is attached to DV-100, *Request for Domestic Violence Restraining Order*.

- [illegible]



4

- b. Who was there? _____

c. Describe how the person in (2) abused you or your children: _____

d. Describe any use or threatened use of guns or other weapons: _____

e. Describe any injuries: _____

f. Did the police or other law enforcement come? ☐ No ☐ Yes

If yes, did they give you or the person in ② an Emergency Protective Order? ☐ Yes ☐ No ☐ I don't know

The Emergency Protective Order protects ☐ You ☐ The person in ②

Attach a copy of the Emergency Protective Order if you have one.

5

[illegible]

☐ Check here if you need more space. Attach a sheet of paper and write “DV-101—Description of Abuse” for a title.

This form is attached to DV-100, *Request for Domestic Violence Restraining Order*.

Check the orders you want ☒.

① Your name: _____ ☐ Mom ☐ Dad ☐ Other*

② Other parent's name: _____ ☐ Mom ☐ Dad ☐ Other*

*If Other, specify relationship to child: _____

③ ☐ **Child Custody**

I ask the court for custody as follows:

Legal Custody to: (Person
who makes decisions about
health, education, and welfare)

Physical Custody to:
(Person you want the
child to live with)

| Child's Name | Date of Birth | Mom | Dad | Other | Mom | Dad | Other |
|--------------|---------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|
| a. _____ | _____ | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b. _____ | _____ | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| c. _____ | _____ | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| d. _____ | _____ | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

☐ Check here if you need more space. Attach a sheet of paper and write "DV-105, Child Custody" for a title.

④ ☐ **Change Current Court Order**

I want to change a current child custody or visitation court order.

Case Number (if you have it): _____ County: _____

Explain your current order and why you want a change. _____

☐ Check here if you need more space. Attach a sheet of paper and write "DV-105, Change Current Court Order" for a title.

⑤ **Child's Address**

Where has the child in ③(a) lived for the last 5 years? Give each city and state the child has lived unless it is unknown to the other parent and you want to keep it confidential because of domestic violence or child abuse. Start with where the child lives now and work backwards in time. (If the current address is confidential, check the box below and just provide the current state).

| Child ③(a) addresses (city and state): | Child ③(a) lived with: | | | Dates lived there: |
|---------------------------------------------|--------------------------|--------------------------|--------------------------|-----------------------|
| | Mom | Dad | Other | |
| <input type="checkbox"/> Confidential _____ | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | From _____ to present |
| _____ | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | From _____ to _____ |
| _____ | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | From _____ to _____ |
| _____ | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | From _____ to _____ |

☐ Check here if you need more space. Attach a sheet of paper and write "DV-105, Child's Address" for a title.

This is not a Court Order.

6 Other Children's Addresses

- ☐ Check here if the other child's (or children's) address information is the same as listed in **5**.
- ☐ If it is different, check here. Attach a sheet of paper and write "DV-105, Other Children's Addresses" for a title. List other children's address information, including dates, and name of person child lived with.

7 Other Custody Case

Were you involved in, or do you know of, any other custody case for any child listed in this form?

- ☐ No ☐ Yes If yes, fill out below and attach a copy of any custody or visitation orders if you have them:

a. Name of each child in other custody case: _____

- b. Type of case: ☐ Parentage (Paternity) ☐ Divorce ☐ Child Support ☐ Guardianship
☐ Juvenile/Dependency ☐ Domestic Violence
☐ Other (specify): _____

c. I was a ☐ Party ☐ Witness ☐ Other (specify): _____

d. Court (name): _____

Address: _____ County: _____ State: _____

e. Date of court order: _____

f. Case number (if you have it): _____

8 Other People With or Claiming to Have Custody or Visitation Rights

Do you know of anyone who is not involved in this case who has or claims to have custody or visitation rights with any child listed on this form? ☐ No ☐ Yes If yes, fill out below:

Name and address of that person:

- ☐ Has custody ☐ Claims custody rights ☐ Claims visitation rights

For these children (name of each child):

- ☐ Check here if you need more space. Attach a sheet of paper and write "DV-105, Other People With or Claiming Custody or Visitation" for a title.

9 Visitation

I ask the court to order that the person in **2** have the following temporary visitation rights:

(Check all that apply)

- a. ☐ No visitation until the hearing
b. ☐ No visitation after the hearing
c. ☐ The following visitation ☐ until the hearing ☐ after the hearing

(1) ☐ **Weekends** (starting): _____ (The 1st weekend of the month is the 1st weekend with a Saturday.)

☐ 1st ☐ 2nd ☐ 3rd ☐ 4th ☐ 5th weekend of month

from _____ at _____ ☐ a.m. ☐ p.m. to _____ at _____ ☐ a.m. ☐ p.m.
(day of week) (time) (day of week) (time)

(2) ☐ **Weekdays** (starting): _____

from _____ at _____ ☐ a.m. ☐ p.m. to _____ at _____ ☐ a.m. ☐ p.m.
(day of week) (time) (day of week) (time)

This is not a Court Order.



10 ☐ **Other Visitation**

Attach a sheet of paper with other visitation days and times, like summer vacation, holidays, and birthdays. List dates and times. Write "DV-105, Visitation" for a title.

11 ☐ **Responsibility for Transportation**

The parent will take or pick up the child or make arrangements for someone else to do so.

I ask the court to order that:

- a. ☐ Mom ☐ Dad ☐ Other (name): _____ **take children to** the visits.
b. ☐ Mom ☐ Dad ☐ Other (name): _____ **pick up children from** the visits.
c. ☐ Drop-off / pick-up of children will be at (address): _____
d. ☐ Check here if other arrangement. Attach a sheet of paper and write "DV-105, Responsibility for Transportation" for a title.

12 ☐ **Supervised Visitation**

- a. I ask that the visitation in **9** be supervised by

☐ A professional supervisor ☐ A non-professional supervisor ☐ Other _____

Name and telephone number, if known: _____

- b. I ask that the visitation in **10** be supervised by

☐ A professional supervisor ☐ A non-professional supervisor ☐ Other _____

Name and telephone number, if known: _____

- c. I ask that any costs for supervision be paid by:

Mom _____ % Dad _____ % Other (name) _____ %

13 ☐ **Travel With Children**

I ask the court to order that:

☐ Mom ☐ Dad ☐ Other (name): _____ **must** have written permission from the other parent, or a court order, to take the children outside of:

- a. ☐ The State of California ☐ County of: _____
b. ☐ Other place(s) (list): _____

14 ☐ **Child Abduction Risk**

☐ I believe that there is a risk the other parent will take our child out of California and hide the child from me.

If you check this box you must fill out and attach Form DV-108, Request for Order: No Travel with Children.

Important Instructions

- You must tell the court if you find out any other information about a custody case in any court for the children listed on this form.
- If the court makes a temporary custody order, the parent receiving custody must not take the child out of California without a noticed hearing. (See Family Code §3063.)

This is not a Court Order.

This form is attached to DV-105, *Request for Child Custody and Visitation Orders*.

① Your name: _____ ☐ Mom ☐ Dad ☐ Other*

② Other parent's name: _____ ☐ Mom ☐ Dad ☐ Other*

*If "Other," specify relationship with children: _____

③ Do you think the other parent may take the children without your permission to:

a. ☐ Another county in California? ☐ Yes ☐ No If "yes," what county? _____

b. ☐ Another state? ☐ Yes ☐ No If "yes," what state? _____

c. ☐ A foreign country? ☐ Yes ☐ No If "yes," what country? _____

If "Yes," is the other parent a citizen of that country? ☐ Yes ☐ No

If "Yes," does the other parent have family or emotional ties to that country? ☐ Yes ☐ No

Explain:

④ Why do you think the other parent may take the children without your permission?

The other parent: (Check all that apply)

a. ☐ Has violated — or threatened to violate — a custody or visitation order in the past.

b. ☐ Does not have strong ties to California.

c. ☐ Has done things recently that make it easy for him or her to take the children away without permission.

He or she has: (Check all that apply)

☐ Quit his or her job

☐ Sold his or her home

☐ Closed a bank account

☐ Ended a lease

☐ Sold or gotten rid of assets

☐ Hidden or destroyed documents

☐ Applied for a passport, birth certificate, or school or medical records

d. ☐ Has a history of: (Check all that apply)

☐ Domestic violence

☐ Child abuse

☐ Not cooperating with me in parenting

☐ Child abduction

e. ☐ Has a criminal record


f. Please explain your answers to a–e:

This is not a Court Order.

What orders do you want? Check the boxes that apply to your case. ☒

- 5** ☐ **Post a Bond**
I ask the court to order the other parent to post a bond for \$ _____. If the other parent takes the children without my permission, I can use this money to bring the children back.
- 6** ☐ **Do Not Move Without My Permission or Court Order**
I ask the court to order the other parent *not* to move with the children without my written permission or a court order.
- 7** ☐ **No Travel Without My Permission**
I ask the court to order the other parent *not* to travel with the children outside: (*Check all that apply*)
☐ This county ☐ California ☐ The United States ☐ Other (*specify*): _____
- 8** ☐ **Notify Other State of Travel Restrictions**
I ask the court to order the other parent to register this order in the state of _____ before the children can travel to that state for visits.
- 9** ☐ **Turn In and Do Not Apply for Passports or Other Vital Documents**
I ask the court to order the other parent to turn in and *not* apply for passports or other documents (such as visas or birth certificates) that can be used for travel.
- 10** ☐ **Provide Itinerary and Other Travel Documents**
If the other parent is allowed to travel with the children, I ask the court to order the other parent to give me before leaving:
☐ The children's travel itinerary
☐ Copies of round-trip airline tickets
☐ Addresses and telephone numbers where the children can be reached
☐ An open airline ticket for me in case the children are not returned
☐ Other (*specify*): _____
- 11** ☐ **Notify Foreign Embassy or Consulate of Passport Restrictions**
I ask the court to order the other parent to notify the embassy or consulate of _____ of this order and to provide the court with proof of that notification within _____ calendar days.
- 12** ☐ **Foreign Custody and Visitation Order**
I ask the court to order the other parent to get a custody and visitation order equal to the most recent U.S. order before the child can travel to that country for visits. I understand that foreign orders may be changed or enforced depending on the laws of the country.
- 13** ☐ I declare under penalty of perjury under the laws of the State of California that the information on this form is true and correct.

Date: _____

Type or print your name _____
*Sign your name***This is not a Court Order.**

Clerk stamps date here when form is filed.

Person in ① must complete items ①, ②, and ③ only.

① Name of Protected Person:

Your lawyer in this case (if you have one):

Name: _____ State Bar No.: _____

Firm Name: _____

Address (If you have a lawyer for this case, give your lawyer's information. If you do not have a lawyer and want to keep your home address private, give a different mailing address instead. You do not have to give your telephone, fax, or e-mail.):

Address: _____

City: _____ State: _____ Zip: _____

Telephone: _____ Fax: _____

E-mail Address: _____

Fill in court name and street address:

Superior Court of California, County of

Court fills in case number when form is filed.

Case Number:**② Name of Restrained Person:****Description of restrained person:**Sex: ☐ M ☐ F Height: _____ Weight: _____ Hair Color: _____ Eye Color: _____

Race: _____ Age: _____ Date of Birth: _____

Address (if known): _____

City: _____ State: _____ Zip: _____

Relationship to protected person: _____

③ ☐ Additional Protected Persons

In addition to the person named in ①, the following persons are protected by temporary orders as indicated in items ⑥ and ⑦ (family or household members):

Full nameRelationship to person in ①SexAge

☐ Check here if there are additional protected persons. List them on an attached sheet of paper and write, "DV-110, Additional Protected Persons" as a title.

The court will complete the rest of this form.

④ Court Hearing**This order expires at the end of the hearing stated below:**Hearing Date: _____ Time: _____ ☐ a.m. ☐ p.m.**This is a Court Order.**

5 ☐ **Criminal Protective Order**

- a. ☐ A criminal protective order on Form CR-160, *Criminal Protective Order—Domestic Violence*, is in effect.
Case Number: _____ County: _____ Expiration Date: _____
- b. ☐ No information has been provided to the judge about a criminal protective order.

To the person in 2

The court has granted the temporary orders checked below. If you do not obey these orders, you can be arrested and charged with a crime. You may be sent to jail for up to one year, pay a fine of up to \$1,000, or both.

6 **Personal Conduct Orders** ☐ **Not requested** ☐ **Denied until the hearing** ☐ **Granted as follows:**

- a. You must **not** do the following things to the person in ① and ☐ persons in ③:
- ☐ Harass, attack, strike, threaten, assault (*sexually or otherwise*), hit, follow, stalk, molest, destroy personal property, disturb the peace, keep under surveillance, impersonate (*on the Internet, electronically or otherwise*), or block movements
 - ☐ Contact, either directly or indirectly, in any way, including but not limited to, by telephone, mail, e-mail or other electronic means
 - ☐ Take any action, directly or through others, to obtain the addresses or locations of the persons in ① and ③. (*If this item is not checked, the court has found good cause not to make this order.*)
- b. Peaceful written contact through a lawyer or process server or another person for service of Form DV-120 (*Response to Request for Domestic Violence Restraining Order*) or other legal papers related to a court case is allowed and does not violate this order.
- c. ☐ Exceptions: Brief and peaceful contact with the person in ①, and peaceful contact with children in ③, as required for court-ordered visitation of children, is allowed unless a criminal protective order says otherwise.

7 **Stay-Away Order** ☐ **Not requested** ☐ **Denied until the hearing** ☐ **Granted as follows:**

- a. You **must** stay at least (*specify*): _____ yards away from (*check all that apply*):
- | | |
|--------------------------------------------------------------|--------------------------------------------------------------|
| <input type="checkbox"/> The person in ① | <input type="checkbox"/> School of person in ① |
| <input type="checkbox"/> The persons in ③ | <input type="checkbox"/> The children's school or child care |
| <input type="checkbox"/> Home of person in ① | <input type="checkbox"/> Other (<i>specify</i>): _____ |
| <input type="checkbox"/> The job or workplace of person in ① | _____ |
| <input type="checkbox"/> Vehicle of person in ① | _____ |
- b. ☐ Exceptions: Brief and peaceful contact with the person in ①, and peaceful contact with children in ③, as required for court-ordered visitation of children, is allowed unless a criminal protective order says otherwise.

8 **Move-Out Order** ☐ **Not requested** ☐ **Denied until the hearing** ☐ **Granted as follows:**

You must take only personal clothing and belongings needed until the hearing and move out immediately from (*address*): _____

This is a Court Order.

9 No Guns or Other Firearms or Ammunition

- a. You cannot own, possess, have, buy or try to buy, receive or try to receive, or in any other way get guns, other firearms, or ammunition.
- b. You must:
- Sell to, or store with, a licensed gun dealer, or turn in to a law enforcement agency, any guns or other firearms within your immediate possession or control. Do so within 24 hours of being served with this order.
 - Within 48 hours of receiving this order, file with the court a receipt that proves guns have been turned in, stored, or sold. (You may use [Form DV-800](#), *Proof of Firearms Turned In, Sold, or Stored*, for the receipt.) Bring a court filed copy to the hearing.
- c. ☐ The court has received information that you own or possess a firearm.

10 Record Unlawful Communications

☐ Not requested ☐ Denied until the hearing ☐ Granted as follows:

The person in ① can record communications made by you that violate the judge's orders.

11 Care of Animals ☐ Not requested ☐ Denied until the hearing ☐ Granted as follows:

The person in ① is given the sole possession, care, and control of the animals listed below. The person in ② must stay at least _____ yards away from and not take, sell, transfer, encumber, conceal, molest, attack, strike, threaten, harm, or otherwise dispose of the following animals: _____

12 Child Custody and Visitation ☐ Not requested ☐ Denied until the hearing ☐ Granted as follows:

Child custody and visitation are ordered on the attached Form DV-140, *Child Custody and Visitation Order* or (*specify other form*): _____. The parent with temporary custody of the child must not remove the child from California unless the court allows it after a noticed hearing (Fam. Code, § 3063).

13 Child Support

Not ordered now but may be ordered after a noticed hearing.

14 Property Control ☐ Not requested ☐ Denied until the hearing ☐ Granted as follows:

Until the hearing, *only* the person in ① can use, control, and possess the following property: _____

15 Debt Payment ☐ Not requested ☐ Denied until the hearing ☐ Granted as follows:

The person in ② must make these payments until this order ends:

| | | | |
|---------------|------------|------------------|-----------------|
| Pay to: _____ | For: _____ | Amount: \$ _____ | Due date: _____ |
| Pay to: _____ | For: _____ | Amount: \$ _____ | Due date: _____ |

This is a Court Order.



16 Property Restraint ☐ Not requested ☐ Denied until the hearing ☐ Granted as follows:

If the people in ① and ② are married to each other or are registered domestic partners,

☐ the person in ① ☐ the person in ② must not transfer, borrow against, sell, hide, or get rid of or destroy any property, including animals, except in the usual course of business or for necessities of life. In addition, each person must notify the other of any new or big expenses and explain them to the court. *(The person in ② cannot contact the person in ① if the court has made a “no contact” order.)*

Peaceful written contact through a lawyer or a process server or other person for service of legal papers related to a court case is allowed and does not violate this order.

17 Spousal Support

Not ordered now but may be ordered after a noticed hearing.

18 Insurance

☐ The person in ① ☐ the person in ② is ordered NOT to cash, borrow against, cancel, transfer, dispose of, or change the beneficiaries of any insurance or coverage held for the benefit of the parties, or their child(ren), if any, for whom support may be ordered, or both.

19 Lawyer's Fees and Costs

Not ordered now but may be ordered after a noticed hearing.

20 Payments for Costs and Services

Not ordered now but may be ordered after a noticed hearing.

21 Batterer Intervention Program

Not ordered now but may be ordered after a noticed hearing.

22 Other Orders ☐ Not requested ☐ Denied until the hearing ☐ Granted as follows:

☐ Check here if there are additional orders. List them on an attached sheet of paper and write “DV-110, Other Orders” as a title.

23 No Fee to Serve (Notify) Restrained Person

If the sheriff serves this order, he or she will do so for free.

Date: _____

Judge (or Judicial Officer)

Warnings and Notices to the Restrained Person in ②**If You Do Not Obey This Order, You Can Be Arrested And Charged With a Crime.**

- If you do not obey this order, you can go to jail or prison and/or pay a fine.
- It is a felony to take or hide a child in violation of this order.
- If you travel to another state or to tribal lands or make the protected person do so, with the intention of disobeying this order, you can be charged with a federal crime.

This is a Court Order.



You Cannot Have Guns, Firearms, And/Or Ammunition.



You cannot own, have, possess, buy or try to buy, receive or try to receive, or otherwise get guns, other firearms, and/or ammunition while the order is in effect. If you do, you can go to jail and pay a \$1,000 fine. You must sell to or store with a licensed gun dealer or turn in to a law enforcement agency any guns or other firearms that you have or control. The judge will ask you for proof that you did so. If you do not obey this order, you can be charged with a crime. Federal law says you cannot have guns or ammunition while the order is in effect.

Service of Order by Mail

If the judge makes a restraining order at the hearing, which has the same orders as in this form, you will get a copy of that order by mail at your last known address, which is written in ②. If this address is incorrect, or to find out if the orders were made permanent, contact the court.

Child Custody, Visitation, and Support

- **Child custody and visitation:** If you do not go to the hearing, the judge can make custody and visitation orders for your children without hearing from you.
- **Child support:** The judge can order child support based on the income of both parents. The judge can also have that support taken directly from a parent's paycheck. Child support can be a lot of money, and usually you have to pay until the child is age 18. File and serve a *Financial Statement (Simplified)* (Form FL-155) or an *Income and Expense Declaration* (Form FL-150) if you want the judge to have information about your finances. Otherwise, the court may make support orders without hearing from you.
- **Spousal support:** File and serve an *Income and Expense Declaration* (Form FL-150) so the judge will have information about your finances. Otherwise, the court may make support orders without hearing from you.

Instructions for Law Enforcement

This order is effective when made. It is enforceable by any law enforcement agency that has received the order, is shown a copy of the order, or has verified its existence on the California Law Enforcement Telecommunications System (CLETS). If the law enforcement agency has not received proof of service on the restrained person, and the restrained person was not present at the court hearing, the agency shall advise the restrained person of the terms of the order and then shall enforce it. Violations of this order are subject to criminal penalties.

Arrest Required if Order Is Violated

If an officer has probable cause to believe that the restrained person had notice of the order and has disobeyed the order, the officer must arrest the restrained person. (Penal Code, §§ 836(c)(1), 13701(b).) A violation of the order may be a violation of Penal Code section 166 or 273.6.

If the Protected Person Contacts the Restrained Person

Even if the protected person invites or consents to contact with the restrained person, the orders remain in effect and must be enforced. The protected person cannot be arrested for inviting or consenting to contact with the restrained person. The orders can be changed only by another court order. (Pen. Code, §13710(b).)

This is a Court Order.



Conflicting Orders—Priorities for Enforcement

If more than one restraining order has been issued protecting the protected person from the restrained person, the orders must be enforced according to the following priorities (see Pen. Code, § 136.2, and Fam. Code, §§ 6383(h), 6405(b)):

1. *EPO*: If one of the orders is an *Emergency Protective Order* (Form EPO-001), and it is more restrictive than other restraining or protective orders, it has precedence in enforcement over all other orders.
2. *No-Contact Order*: If there is no EPO, a no-contact order that is included in a restraining or protective order has precedence in enforcement over any other restraining or protective order.
3. *Criminal Order*: If none of the orders includes a no-contact order, a domestic violence protective order issued in a criminal case takes precedence in enforcement over any conflicting civil court order. Any nonconflicting terms of the civil restraining order remain in effect and enforceable.
4. *Family, Juvenile, or Civil Order*: If more than one family, juvenile, or other civil restraining or protective order has been issued, the one that was issued last must be enforced.

Child Custody and Visitation

- The custody and visitation orders are on Form DV-140, items ③ and ④. They are sometimes also written on additional pages or referenced in DV-140 or other orders that are not part of the restraining order.
- **Forms DV-100 and DV-105 are not orders. Do not enforce them.**

Certificate of Compliance With VAWA

This temporary protective order meets all “full faith and credit” requirements of the Violence Against Women Act, 18 U.S.C. § 2265 (1994) (VAWA), upon notice of the restrained person. This court has jurisdiction over the parties and the subject matter; the restrained person has been or will be afforded notice and a timely opportunity to be heard as provided by the laws of this jurisdiction. **This order is valid and entitled to enforcement in each jurisdiction throughout the 50 states of the United States, the District of Columbia, all tribal lands, and all U.S. territories, commonwealths, and possessions and shall be enforced as if it were an order of that jurisdiction.**

(Clerk will fill out this part.)

—Clerk's Certificate—

Clerk's Certificate
[seal]

I certify that this *Temporary Restraining Order* is a true and correct copy of the original on file in the court.

Date: _____ Clerk, by _____, Deputy

This is a Court Order.

Attachment to DV-110 – Item 3, Additional Protected Persons

| Full Name | Relationship to Person in ① | Sex | Age |
|-----------|-----------------------------|-----|-----|
|-----------|-----------------------------|-----|-----|

This form is attached to (check one): ☐ DV-110 ☐ DV-130

1 **Name of Protected Person:** _____ ☐ Mom ☐ Dad ☐ Other*

2 **Other Parent's Name:** _____ ☐ Mom ☐ Dad ☐ Other*

* If Other, specify relationship to child: _____

The Court Orders:

3 ☐ **Child Custody** is ordered as follows:

Legal Custody to: (Person who makes decisions about health, education. Check at least one.)

Physical Custody to: (Person the child lives with. Check at least one.)

| Child's Name | Date of Birth | Mom | Dad | Other* | Mom | Dad | Other* |
|--------------|---------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|
| a. _____ | _____ | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b. _____ | _____ | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| c. _____ | _____ | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

☐ If more children, check here. Attach a sheet of paper and write "DV-140, Child Custody" for a title.

* If Other, specify relationship to child and name of person: _____

4 ☐ **Child Visitation** is ordered as follows:

a. ☐ No visitation to ☐ Mom ☐ Dad ☐ Other (name): _____

b. ☐ See the attached _____ - page document, dated: _____

c. ☐ The parties must go to mediation at: _____

d. ☐ Until the next court order, visitation for ☐ Mom ☐ Dad ☐ Other (name): _____ will be:

(1) ☐ **Weekends** (starting): _____ (The 1st weekend of the month is the 1st weekend with a Saturday.)

☐ 1st ☐ 2nd ☐ 3rd ☐ 4th ☐ 5th weekend of month

from _____ at _____ ☐ a.m. ☐ p.m. to _____ at _____ ☐ a.m. ☐ p.m.
(day of week) (time) (day of week) (time)

(2) ☐ **Weekdays** (starting): _____

from _____ at _____ ☐ a.m. ☐ p.m. to _____ at _____ ☐ a.m. ☐ p.m.
(day of week) (time) (day of week) (time)

(3) ☐ **Other Visitation**

Check here and attach a sheet of paper if there are other visitation days and times, like holidays, birthdays, sports events. List dates and times. Write "DV- 140, Other Visitation" for a title.

5 ☐ **Supervised Visitation or Exchange**

Visits and/or exchanges of children are supervised as specified on Form DV-150, *Supervised Visitation and Exchange Order*.

This is a Court Order.

6 Responsibility for Transportation for Visitation

“Responsibility for transportation” means the parent will take or pick up the child or make arrangements for someone else to do so.

- a. ☐ Mom ☐ Dad ☐ Other (name): _____ **take children to** the visits.
b. ☐ Mom ☐ Dad ☐ Other (name): _____ **pick up children from** the visits.
c. ☐ Drop-off / pick-up of children will be at (address): _____

7 Travel with Children

☐ Mom ☐ Dad ☐ Other (name): _____ **must** have written permission from the other parent, or a court order, to take the children outside of:

- a. ☐ The State of California
b. ☐ The United States of America
c. ☐ Other place(s) (list): _____

8 Child Abduction

There is a risk that one of the parents will take the children out of California without the other parent's permission. ☐ The orders in Form DV-145, *Order: No Travel with Children*, are attached and must be obeyed. (Fill out and attach Form DV-145 to this form.)

9 Other Orders

Check here and attach any other orders to this form. Write “DV-140, Other Orders” as a title.

10 Jurisdiction

This court has jurisdiction to make child custody orders in this case under the Uniform Child Custody Jurisdiction and Enforcement Act (part 3 of the California Family Code starting with § 3400).

11 Notice and Opportunity to Be Heard

The responding party was given reasonable notice and an opportunity to be heard as provided by the laws of the State of California.

12 Country of Habitual Residence

The country of habitual residence of the child or children in this case is ☐ The United States of America or ☐ Other (specify): _____.

13 Penalties for Violating This Order

If you violate this order, you may be subject to civil or criminal penalties, or both.

14 Duration of Child Custody, Visitation, and Support Orders

If this form is attached to Form DV-130 (*Restraining Order After Hearing*), the custody and visitation orders in this form remain in effect after the restraining orders on Form DV-130 end.

This is a Court Order.

This form is attached to DV-140, *Child Custody and Visitation Order*.

① **Name of Protected Person:** _____ ☐ Mom ☐ Dad ☐ Other*

② **Other Parent's Name:** _____ ☐ Mom ☐ Dad ☐ Other*

*If Other, specify relationship to child: _____

The Court Finds:

③ There is a risk that (*name of parent*): _____ might take the children without permission because that parent (*check all that apply*):

- a. ☐ Has violated—or threatened to violate—a custody or visitation order in the past
- b. ☐ Does not have strong ties to California
- c. ☐ Has done things that make it easy for him or her to take the child without permission.

He or she has (*check all that apply*):

- ☐ Quit his or her job ☐ Sold his or her home
- ☐ Closed a bank account ☐ Ended a lease
- ☐ Sold or gotten rid of assets ☐ Hidden or destroyed documents
- ☐ Applied for a passport, birth certificate, or school or medical records

- d. ☐ Has a history of (*check all that apply*):
 - ☐ Domestic violence
 - ☐ Child abuse
 - ☐ Not cooperating with the other parent in parenting
 - ☐ Taking the children without permission

e. ☐ Has a criminal record

f. ☐ Has family or emotional ties to another county, state or foreign country

Note: If (f) is checked, at least one other item in items (a)–(e) must be checked also.

The Court Orders:

The Court makes the orders, checked below, to prevent the parent in ③ from taking the children without permission. These orders are valid in other states and any country that has signed The Hague Convention on the Civil Aspects of International Child Abduction.

④ ☐ **Post a Bond**

The parent in ③ must post a bond for \$ _____ .

⑤ ☐ **Do Not Move Without Written Permission of the Other Parent or Court Order**

The parent in ③ must **not** move with the children outside ☐ This county ☐ California

☐ The United States

Other (*specify*): _____
without written permission from the other parent or a court order.

⑥ ☐ **Do Not Travel Without Permission of the Other Person or Court Order**

The parent in ③ must **not** travel with the children outside (*check all that apply*):

☐ This county ☐ California ☐ The United States ☐ Other (*specify*): _____

without written permission of the other parent or a court order. _____

This is a Court Order.

- 7 ☐ **Notify Other State of Travel Restrictions**
The parent in (3) must register this order in the state of _____ before the children can travel to that state for visits.
- 8 ☐ **Turn In and Do Not Apply for Passports or Other Vital Documents**
The parent in (3) must *not* apply for passports or other documents (such as visas or birth certificates) that can be used for travel, and must turn in the following documents: _____

- 9 ☐ **Provide Itinerary and Other Travel Documents**
The parent in (3) must give the other parent the following before traveling with the children:
☐ The children's travel itinerary
☐ Copies of round-trip airline tickets
☐ Addresses and telephone numbers where the children can be reached
☐ An open airline ticket for the other parent in case the children are not returned
☐ Other (*specify*): _____
- 10 ☐ **Notify Foreign Embassy or Consulate of Passport Restrictions**
The parent in (3) must notify the embassy or consulate of _____ of this order and provide the court with proof of that notification within _____ calendar days.
- 11 ☐ **Foreign Custody and Visitation Order**
The parent in (3) must get a foreign custody and visitation order equal to the most recent U.S. order before the children can travel to that country for visits. The court recognizes that foreign orders may be changed or enforced depending on the laws of that country.
- 12 ☐ **Enforcing the Order**
The court authorizes any law enforcement officer to enforce this order. In this county, contact the Child Abduction Unit of the Office of the District Attorney at: _____

- 13 ☐ **Other**

Notice to Authorities in Other States and Countries

This court has jurisdiction to make child custody orders under California's Uniform Child Custody Jurisdiction and Enforcement Act (California Family Code, part 3, § 3400 et seq.) and The Hague Convention on the Civil Aspects of International Child Abduction (42 U.S.C. § 11601 et seq.). If jurisdiction is based on other factors, they will be listed in paragraph 13 above.

This is a Court Order.

This form is attached to ☐ DV-110, *Temporary Restraining Order* ☐ DV-130, *Restraining Order After Hearing*
☐ DV-140, *Child Custody and Visitation Order*

1 Name of Protected Person: _____ ☐ Mom ☐ Dad ☐ Other*

2 Other Parent's Name: _____ ☐ Mom ☐ Dad ☐ Other*

**If Other, specify relationship to child:* _____

The Court Orders:**3 Mediation, Visitation and Exchange**

- a. ☐ Parties must go to mediation at: _____
- b. ☐ Visitation of children is supervised.
Parent to be supervised is: ☐ Mom ☐ Dad ☐ Other (*name*): _____
- c. ☐ Exchanges of children are supervised.

4 Schedule of Supervised Visits

- a. ☐ All visits as provided in the schedule on Form DV-140, item **4**(d) are to be supervised.
- b. ☐ Supervised visits shall be _____ visit(s) per week of _____ hours(s) each, to be arranged with the provider.
- c. ☐ Other schedule of supervised visits is attached. (*Check here and attach a sheet of paper with "DV-150, Other Schedule" for a title.*)

5 Type of Provider

- a. ☐ Professional (individual or supervised visitation center)
- b. ☐ Nonprofessional
- c. ☐ Therapeutic (licensed mental health professional)

6 Provider's Information

Name: _____

Telephone number: _____

Address: _____

7 Costs Will Be Paid As Follows:

- ☐ Mom to pay: _____ %
- ☐ Dad to pay: _____ %
- ☐ Other: _____

8 Contact With Provider

- ☐ Mom to contact provider before (*date*): _____
- ☐ Dad to contact provider before (*date*): _____
- ☐ Other: _____

9 The court also orders (*specify*): _____

This is a Court Order.

1 What is a firearm?

A firearm is a

- Handgun
- Shotgun
- Rifle
- Assault Weapon

**2 If you own or have a firearm, you must:**

- Turn it in to local law enforcement, *or*
- Sell it to, or store it with, a licensed gun dealer.

3 How do I sell or store my firearm?

Find a licensed gun dealer in your area.

Look under “Firearms Dealers” in your local Yellow Pages or on the Internet. Make sure the dealer is licensed.

4 How do I take my firearm to law enforcement?

Call your local law enforcement agency to ask about their procedures. Take a copy of the restraining order with you. Go directly to the law enforcement agency. Do not go anywhere else with firearms in your vehicle!

5 If I turn my firearm in to law enforcement, how long will they keep it?

Ask the law enforcement agency.

6 After I give my firearm to law enforcement, can I change my mind?

Yes. You are allowed to make one sale through a licensed gun dealer. To do this, a licensed gun dealer must present a bill of sale to your local law enforcement agency. The law enforcement agency will give the licensed gun dealer the firearm you are selling.

7 Do I have to pay the law enforcement agency to keep my firearm?

You may have to pay the agency for keeping your firearm. Contact your local law enforcement agency and ask if a fee is charged. The agency will tell you how much you need to pay.

8 Questions?

Call your local law enforcement agency:

[insert local information here]

DO:

- unload your firearm.
- put your firearm in the trunk.
- call ahead to the law enforcement agency.

DO NOT:

- bring a loaded firearm to the law enforcement agency.
- bring ammunition with the firearm when you turn it in.
- put your firearm in a locked glove compartment.
- bring a firearm to court.

Clerk stamps date here when form is filed.

1 Name of Person Asking for Order:

Your lawyer in this case (if you have one):

Name: _____ State Bar No.: _____

Firm Name: _____

Address (If you have a lawyer for this case, give your lawyer's information. If you do not have a lawyer and want to keep your home address private, give a different mailing address instead. You do not have to give your telephone, fax, or e-mail.):

Address: _____

City: _____ State: _____ Zip: _____

Telephone: _____ Fax: _____

E-Mail Address: _____

Fill in court name and street address:

Superior Court of California, County of

Clerk fills in case number when form is filed.

Case Number:**2 Name of Person to Be Restrained:***The court will fill out the rest of this form.***3 Notice of Court Hearing****A court hearing is scheduled on the request for restraining orders against the person in ②.****Hearing
Date**

→ Date: _____ Time: _____

Dept.: _____ Room: _____

Name and address of court if different from above:

4 Temporary Restraining Orders (any orders granted are attached on Form DV-110)

a. Temporary restraining orders for personal conduct, stay away, and protection of animals, as requested in Form DV-100, *Request for Domestic Violence Restraining Order*, are:

(1) ☐ All **granted** until the court hearing(2) ☐ All **denied** until the court hearing (specify reasons for denial in (b)):(3) ☐ Partly **granted** and partly **denied** until the court hearing (specify reasons for denial in (b)):

b. Requested temporary restraining orders for personal conduct, stay away, and protection of animals are denied because:

(1) ☐ The facts as stated in form DV-100 do not show reasonable proof of a past act or acts of abuse. (Family Code, §§ 6320 and 6320.5)(2) ☐ The facts do not describe in sufficient detail the most recent incidents of abuse, such as what happened, the dates, who did what to whom, or any injuries or history of abuse.(3) ☐ Further explanation of reason for denial, or reason not listed above:**This is a Court Order.****Notice of Court Hearing
(Domestic Violence Prevention)**

⑤ Service of Documents and Time for Service—for Person in ①

At least ☐ five or ☐ ____ days before the hearing, someone age 18 or older—not you or anyone else to be protected—must personally give (serve) a court’s file-stamped copy of this form (DV-109, *Notice of Court Hearing*) to the person in ② along with a copy of all the forms indicated below:

- a. Form DV-100, *Request for Domestic Violence Restraining Order*, (file-stamped) with applicable attachments
- b. ☐ Form DV-110, *Temporary Restraining Order* (file-stamped) with applicable attachments **if granted by the judge**
- c. Form DV-120, *Response to Request for Domestic Violence Restraining Order* (blank form)
- d. Form DV-250, *Proof of Service by Mail* (blank form)
- e. ☐ Other (*specify*): _____

Date: _____

*Judicial Officer***Right to Cancel Hearing: Information for the Person in ①**

- If item ④(a)(2) or ④(a)(3) is checked, the judge has denied some or all of the temporary orders you requested until the court hearing. The judge may make the orders you want after the court hearing. You can keep the hearing date, or you can cancel your request for orders so there is no court hearing.
- If you want to cancel the hearing, use Form DV-112, *Waiver of Hearing on Denied Request for Temporary Restraining Order*. Fill it out and file it with the court as soon as possible. You may file a new request for orders, on the same or different facts, at a later time.
- If you cancel the hearing, do not serve the documents listed in item ⑤ on the other person.
- If you want to keep the hearing date, you must have all of the documents listed in item ⑤ served on the other person within the time listed in item ⑤.
- At the hearing, the judge will consider whether denial of any requested orders will jeopardize your safety and the safety of children for whom you are requesting custody or visitation.
- You must come to the hearing if you want the judge to make restraining orders or continue any orders already made. If you cancel the hearing or do not come to the hearing, any restraining orders made on Form DV-110 will end on the date of the hearing.

To the Person in ①

- The court cannot make the restraining orders after the court hearing unless the person in ② has been personally given (served) a copy of your request and any temporary orders. To show that the person in ② has been served, the person who served the forms must fill out a proof of service form. Form DV-200, *Proof of Personal Service* may be used.
- For information about service, read Form DV-210-INFO, *What Is “Proof of Personal Service”?*
- If you are unable to serve the person in ② in time, you may ask for more time to serve the documents. Read Form DV-115-INFO, *How to Ask for a New Hearing Date*.

This is a Court Order.

To the Person in ②

- If you want to respond in writing, mail a copy of your completed Form DV-120, *Response to Request for Domestic Violence Restraining Order*, to the person in ① and file it with the court. You cannot mail Form DV-120 yourself. Someone age 18 or older—**not you**—must do it.
- To show that the person in ① has been served by mail, the person who mailed the forms must fill out a proof of service form. Form DV-250, *Proof of Service by Mail*, may be used. File the completed form with the court before the hearing and bring it with you to the hearing.
- For information about responding to a restraining order and filing your answer, read Form DV-120-INFO, *How Can I Respond to a Request for Domestic Violence Restraining Order?*.
- Whether or not you respond in writing, go to the court hearing if you want the judge to hear from you before making orders. You may tell the judge why you agree or disagree with the orders requested. You may bring witnesses and other evidence.
- **At the hearing, the judge may make restraining orders against you that could last up to five years.**
- **The judge may also make other orders about your children, child support, spousal support, money, and property and may order you to turn in or sell any firearms that you own or possess.**

**Request for Accommodations**

Assistive listening systems, computer-assisted real-time captioning, or sign language interpreter services are available if you ask at least five days before the hearing. Contact the clerk's office or go to www.courts.ca.gov/forms for *Request for Accommodations by Persons With Disabilities and Response* (Form MC-410). (Civil Code, § 54.8.)

(Clerk will fill out this part.)

—Clerk's Certificate—

Clerk's Certificate
[seal]

I certify that this *Notice of Court Hearing* is a true and correct copy of the original on file in the court.

Date: _____ Clerk, by _____, Deputy

This is a Court Order.

California Law Enforcement Telecommunications System (CLETS) Information Form

- ☐ This form is submitted with the initial filing (date): _____
- ☐ This is an amended form (date): _____

Important: This form MUST NOT become part of the public court file. It is confidential and private.

Fill out as much of this form as you can and give it to the court clerk. If the court issues a restraining order, this form will provide law enforcement with information that will help them enforce it. If any of this information changes, fill out a new (amended) form.

Case Number (if you know it): _____

① Person to Be Protected (Name): _____

Sex: ☐ M ☐ F Height: _____ Weight: _____ Race: _____

Hair Color: _____ Eye Color: _____ Age: _____ Date of Birth: _____

Mailing Address (listed on restraining order): _____

City: _____ State: _____ Zip: _____ Telephone (optional): _____

Vehicle (Type, Model, Year): _____ (License Number and State): _____

② Person to Be Restrained (Name): _____

Sex: ☐ M ☐ F Height: _____ Weight: _____ Race: _____

Hair Color: _____ Eye Color: _____ Age: _____ Date of Birth: _____

Residence Address: _____

City: _____ State: _____ Zip: _____ Telephone: _____

Business Address: _____

City: _____ State: _____ Zip: _____ Telephone: _____

Employer: _____

Occupation/Title: _____ Work Hours: _____

Driver's License Number and State: _____ Social Security Number: _____

Vehicle (Type, Model, Year): _____ (License Number and State): _____

Describe any marks, scars, or tattoos: _____

Other names used by the restrained person: _____

③ Guns or Firearms Describe any guns or firearms that you believe the person in ② owns or has access to (Number, types, and locations): _____

④ Other People to Be Protected

| Name | Date of Birth | Sex | Race | Relation to Person in ① |
|------|---------------|-----|------|-------------------------|
|------|---------------|-----|------|-------------------------|

| | | | | |
|--|--|--|--|--|
| | | | | |
| | | | | |

- ☐ Additional persons to be protected are listed on Attachment 4.

This is not a Court Order—Do not place in court file.

Clerk stamps date here when form is filed.

1 Name of Person Asking for Protection:Your lawyer in this case (*if you have one*):

Name: _____ State Bar No.: _____

Firm Name: _____

Address (*If you have a lawyer for this case, give your lawyer's information. If you do not have a lawyer and want to keep your home address private, give a different mailing address instead. You do not have to give your telephone, fax, or e-mail.*):

Address: _____

City: _____ State: _____ Zip: _____

Telephone: _____ Fax: _____

E-Mail Address: _____

Fill in court name and street address:

Superior Court of California, County of

Fill in case number:

Case Number:**2 Name of Person to Be Restrained:**

(Court will fill out all sections below.)

3 Reason for New Hearing DateThe hearing currently scheduled for (*date*): _____ is reset to the date in **4** below because:

- a. ☐ The person in **2** was not served before the current hearing date.
b. ☐ The parties were referred to Family Court Services.
c. ☐ The person in **2** asked for time to hire a lawyer or prepare a response.
d. ☐ Other (*specify*): _____

4 Order for Continuance and Notice of New HearingThe *Notice of Court Hearing* (Form DV-109) is reset for hearing as follows:**New
Hearing
Date**→ Date: _____ Time: _____
Dept.: _____ Room: _____

Name and address of court if different from above:

_____**This is a Court Order.**

5 Temporary Restraining Order (Reissue and/or Continue)

- a. ☐ No temporary restraining orders were issued in this case.
- b. ☐ The request to keep temporary restraining orders in effect until the new hearing date is:
- (1) ☐ **GRANTED.** There are no changes to the Temporary Restraining Order except for the expiration date. Any orders listed on the *Temporary Restraining Order* (Form DV-110), issued on (date): _____, remain in effect until the end of the hearing in (4).
- (2) ☐ **GRANTED AS MODIFIED.** The Temporary Restraining Order is modified. See the attached modified order. Any orders on the attached form remain in effect until the end of the hearing in (4).
- c. ☐ The request to keep temporary restraining orders in effect is **DENIED** until the hearing.
Reason for denial:

Warning and Notice to the Person in 2

If (5) b is checked, you must continue to obey the Temporary Restraining Order until it expires at the end of the hearing scheduled in (4).

6 Service of Order

- a. ☐ No further service of this Order is required because both parties were present at the hearing when the new hearing date was ordered.
- b. ☐ A copy of this Order must be served on the person in (2) at least _____ days before the hearing, along with all other forms that were filed with the court requesting domestic violence restraining orders and a hearing date. All forms must be personally served unless otherwise specified in (6)c. If item (5)b is checked, a copy of the Temporary Restraining Order **must** also be served. If item (5)c is checked, a copy of the Temporary Restraining Order must **not** be attached or served.

See Form DV-109, *Notice of Court Hearing*, item (5), for a list of all documents that must be personally served with this Order.

- c. ☐ Other (specify): _____

This is a Court Order.

7 No Fee to Serve (Notify) Restrained Person

If the sheriff or marshal serves this order, he or she will do it for free.

Date: _____

Judicial Officer



Request for Accommodations

Assistive listening systems, computer-assisted real-time captioning, or sign language interpreter services are available if you ask at least five days before the hearing. Contact the clerk's office or go to <http://www.courts.ca.gov/forms.htm> for *Request for Accommodations by Persons with Disabilities and Response* (Form MC-410). (Civ. Code, § 54.8.)

(Clerk will fill out this part.)

—Clerk's Certificate—

Clerk's Certificate

[seal]

I certify that this *Notice of New Hearing and Order on Reissuance* (CLETS-TRO) is a true and correct copy of the original on file in the court.

Date: _____ Clerk, by _____, Deputy

This is a Court Order.

Clerk stamps date here when form is filed.

1 Name of Protected Person:

Your lawyer in this case (if you have one):

Name: _____ State Bar No.: _____

Firm Name: _____

Address (If you have a lawyer for this case, give your lawyer's information. If you do not have a lawyer and want to keep your home address private, give a different mailing address instead. You do not have to give your telephone, fax, or e-mail.):

Address: _____

City: _____ State: _____ Zip: _____

Telephone: _____ Fax: _____

E-Mail Address: _____

Fill in court name and street address:

Superior Court of California, County of _____

2 Name of Restrained Person:

Clerk fills in case number when form is filed.

Case Number: _____

Description of restrained person:Sex: ☐ M ☐ F Height: _____ Weight: _____ Hair Color: _____ Eye Color: _____

Race: _____ Age: _____ Date of Birth: _____

Mailing Address (if known): _____

City: _____ State: _____ Zip: _____

Relationship to protected person: _____

3 ☐ Additional Protected Persons

In addition to the person named in **1**, the following persons are protected by orders as indicated in items **6** and **7** (family or household members):

| Full name | Relationship to person in 1 | Sex | Age |
|-----------|------------------------------------|-------|-------|
| _____ | _____ | _____ | _____ |
| _____ | _____ | _____ | _____ |
| _____ | _____ | _____ | _____ |

☐ Check here if there are additional protected persons. List them on an attached sheet of paper and write, "DV-130, Additional Protected Persons," as a title.

4 Expiration Date

The orders, except as noted below, end on

(date): _____ at (time): _____ ☐ a.m. ☐ p.m. or ☐ midnight

- If no date is written, the restraining order ends three years after the date of the hearing in item **5(a)**.
- If no time is written, the restraining order ends at midnight on the expiration date.
- Note: Custody, visitation, child support, and spousal support orders remain in effect after the restraining order ends. Custody, visitation, and child support orders usually end when the child is 18.
- The court orders are on pages 2, 3, 4, and 5 and attachment pages (if any).

This order complies with VAWA and shall be enforced throughout the United States. See page 5.

This is a Court Order.



5 Hearings

- a. The hearing was on (date): _____ with (name of judicial officer): _____
- b. These people were at the hearing (check all that apply):
- ☐ The person in ① ☐ The lawyer for the person in ① (name): _____
- ☐ The person in ② ☐ The lawyer for the person in ② (name): _____
- c. The people in ① and ② must **return to Dept.** _____ **of the court** on (date): _____ at (time): _____ ☐ a.m. ☐ p.m. to review (specify issues): _____

To the person in ② :

The court has granted the orders checked below. Item ⑨ is also an order. If you do not obey these orders, you can be arrested and charged with a crime. You may be sent to jail for up to one year, pay a fine of up to \$1,000, or both.

6 ☐ Personal Conduct Orders

- a. The person in ② must **not** do the following things to the protected people in ① and ③ :
- ☐ Harass, attack, strike, threaten, assault (sexually or otherwise), hit, follow, stalk, molest, destroy personal property, disturb the peace, keep under surveillance, impersonate (on the Internet, electronically or otherwise), or block movements.
- ☐ Contact, either directly or indirectly, by any means, including, but not limited to, by telephone, mail, e-mail, or other electronic means.
- ☐ Take any action, directly or through others, to obtain the addresses or locations of any protected persons. (If this item is not checked, the court has found good cause not to make this order.)
- b. Peaceful written contact through a lawyer or process server or another person for service of legal papers related to a court case is allowed and does not violate this order.
- c. ☐ Exceptions: Brief and peaceful contact with the person in ①, and peaceful contact with children in ③, as required for court-ordered visitation of children, is allowed unless a criminal protective order says otherwise.

7 ☐ Stay-Away Order

- a. The person in ② **must** stay at least (specify): _____ yards away from (check all that apply):
- ☐ The person in ① ☐ School of person in ①
- ☐ The persons in ③ ☐ The child(ren)'s school or child care
- ☐ Home of person in ① ☐ Other (specify): _____
- ☐ The job or workplace of person in ① _____
- ☐ Vehicle of person in ① _____
- b. ☐ Exceptions: Brief and peaceful contact with the person in ①, and peaceful contact with children in ③, as required for court-ordered visitation of children, is allowed unless a criminal protective order says otherwise.

8 ☐ Move-Out Order

The person in ② must move out immediately from (address): _____

9 No Guns or Other Firearms or Ammunition

- a. The person in ② cannot own, possess, have, buy or try to buy, receive or try to receive, or in any other way get guns, other firearms, or ammunition.

This is a Court Order.

- 9 b. The person in ② must:
- Sell to, or store with, a licensed gun dealer, or turn in to a law enforcement agency, any guns or other firearms within his or her immediate possession or control. Do so within 24 hours of being served with this order.
 - Within 48 hours of receiving this order, file with the court a receipt that proves guns have been turned in, sold, or stored. ([Form DV-800](#), Proof of Firearms Turned In, Sold, or Stored, *may be used for the receipt*.) Bring a court filed copy to the hearing.
- c. ☐ The court has received information that the person in ② owns or possesses a firearm.
- d. ☐ The court has made the necessary findings and applies the firearm relinquishment exemption under Family Code section 6389(h). Under California law, the person in ② is not required to relinquish this firearm (*specify make, model, and serial number of firearm*): _____
- The firearm must be in his or her physical possession only during scheduled work hours and during travel to and from his or her place of employment. Even if exempt under California law, the person in ② may be subject to federal prosecution for possessing or controlling a firearm.

10 ☐ **Record Unlawful Communications**

The person in ① has the right to record communications made by the person in ② that violate the judge's orders.

11 ☐ **Care of Animals**

The person in ① is given the sole possession, care, and control of the animals listed below. The person in ② must stay at least _____ yards away from and not take, sell, transfer, encumber, conceal, molest, attack, strike, threaten, harm, or otherwise dispose of the following animals: _____

12 ☐ **Child Custody and Visitation**

Child custody and visitation are ordered on the attached Form DV-140, *Child Custody and Visitation Order* or (*specify other form*): _____

13 ☐ **Child Support**

Child support is ordered on the attached Form FL-342, *Child Support Information and Order Attachment* or (*specify other form*): _____

14 ☐ **Property Control**

Only the person in ① can use, control, and possess the following property: _____

15 ☐ **Debt Payment**

The person in ② must make these payments until this order ends:

| | | | |
|---------------|------------|------------------|-----------------|
| Pay to: _____ | For: _____ | Amount: \$ _____ | Due date: _____ |
| Pay to: _____ | For: _____ | Amount: \$ _____ | Due date: _____ |
| Pay to: _____ | For: _____ | Amount: \$ _____ | Due date: _____ |

☐ Check here if more payments are ordered. List them on an attached sheet of paper and write "DV-130, Debt Payments" as a title.

16 ☐ **Property Restraint**

The ☐ person in ① ☐ person in ② must not transfer, borrow against, sell, hide, or get rid of or destroy any property, including animals, except in the usual course of business or for necessities of life. In addition, the person must notify the other of any new or big expenses and explain them to the court. (*The person in ② cannot contact the person in ① if the court has made a "No-Contact" order.*)

Peaceful written contact through a lawyer or a process server or other person for service of legal papers related to a court case is allowed and does not violate this order.

This is a Court Order.



17 ☐ **Spousal Support**

Spousal support is ordered on the attached Form FL-343, *Spousal, Partner, or Family Support Order Attachment* or (specify other form): _____

18 ☐ **Insurance**

☐ The person in ① ☐ the person in ② is ordered NOT to cash, borrow against, cancel, transfer, dispose of, or change the beneficiaries of any insurance or coverage held for the benefit of the parties, or their child(ren), if any, for whom support may be ordered, or both.

19 ☐ **Lawyer's Fees and Costs**

The person in ② must pay the following lawyer's fees and costs:

Pay to: _____ For: _____ Amount: \$ _____ Due date: _____
Pay to: _____ For: _____ Amount: \$ _____ Due date: _____

20 ☐ **Payments for Costs and Services**

The person in ② must pay the following:

Pay to: _____ For: _____ Amount: \$ _____ Due date: _____
Pay to: _____ For: _____ Amount: \$ _____ Due date: _____
Pay to: _____ For: _____ Amount: \$ _____ Due date: _____

☐ Check here if more payments are ordered. List them on an attached sheet of paper and write "DV-130, Payments for Costs and Services" as a title.

21 ☐ **Batterer Intervention Program**

The person in ② must go to and pay for a 52-week batterer intervention program and show written proof of completion to the court. This program must be approved by the probation department.

22 ☐ **Other Orders**

Other orders (specify): _____

23 ☐ **No Fee to Serve (Notify) Restrained Person**

If the sheriff or marshal serves this order, he or she will do it for free.

24 ☐ **Service**

- a. ☐ The people in ① and ② were at the hearing or agreed in writing to this order. No other proof of service is needed.
- b. ☐ The person in ① was at the hearing. The person in ② was not.
- (1) ☐ Proof of service of Form DV-109 and Form DV-110 (if issued) was presented to the court. The judge's orders in this form are the same as in Form DV-110 except for the end date. The person in ② must be served. This order can be served by mail.
- (2) ☐ Proof of service of Form DV-109 and Form DV-110 (if issued) was presented to the court. The judge's orders in this form are different from the orders in Form DV-110, or Form DV-110 was not issued. Someone—not a person in ① or ③—must personally "serve" (deliver) a copy of this order to the person in ②.

25 ☐ **Criminal Protective Order**

- a. ☐ Form CR-160, *Criminal Protective Order—Domestic Violence*, is in effect.
Case Number: _____ County: _____ Expiration Date: _____
(If there are more orders, list them on an attached sheet of paper and write "DV-130, Other Criminal Protective Orders" as a title.)
- b. ☐ No information has been provided to the judge about a criminal protective order.

This is a Court Order.



26 ☐ **Attached pages are orders.**

- Number of pages attached to this six-page form: _____
- All of the attached pages are part of this order.
- Attachments include (*check all that apply*):
 - ☐ DV-140 ☐ DV-145 ☐ DV-150 ☐ FL-342 ☐ FL-343
 - ☐ Other (*specify*): _____

Date: _____

*Judge (or Judicial Officer)***Certificate of Compliance With VAWA**

This restraining (protective) order meets all “full faith and credit” requirements of the Violence Against Women Act, 18 U.S.C. § 2265 (1994) (VAWA) upon notice of the restrained person. This court has jurisdiction over the parties and the subject matter; the restrained person has been or will be afforded notice and a timely opportunity to be heard as provided by the laws of this jurisdiction. **This order is valid and entitled to enforcement in each jurisdiction throughout the 50 states of the United States, the District of Columbia, all tribal lands, and all U.S. territories, commonwealths, and possessions and shall be enforced as if it were an order of that jurisdiction.**

Warnings and Notices to the Restrained Person in 2**If you do not obey this order, you can be arrested and charged with a crime.**

- If you do not obey this order, you can go to jail or prison and/or pay a fine.
- It is a felony to take or hide a child in violation of this order.
- If you travel to another state or to tribal lands or make the protected person do so, with the intention of disobeying this order, you can be charged with a federal crime.

You cannot have guns, firearms, and/or ammunition.

You cannot own, have, possess, buy or try to buy, receive or try to receive, or otherwise get guns, other firearms, and/or ammunition while the order is in effect. If you do, you can go to jail and pay a \$1,000 fine. Unless the court grants an exemption, you must sell to, or store with, a licensed gun dealer, or turn in to a law enforcement agency, any guns or other firearms that you have or control. The judge will ask you for proof that you did so. If you do not obey this order, you can be charged with a crime. Federal law says you cannot have guns or ammunition while the order is in effect. Even if exempt under California law, you may be subject to federal prosecution for possessing or controlling a firearm.

Instructions for Law Enforcement**Start Date and End Date of Orders**

The orders *start* on the earlier of the following dates:

- The hearing date in item **(5)** (a) on page 2, or
- The date next to the judge’s signature on this page.

The orders *end* on the expiration date in item **(4)** on page 1. If no date is listed, they end three years from the hearing date.

This is a Court Order.

Arrest Required if Order Is Violated

If an officer has probable cause to believe that the restrained person had notice of the order and has disobeyed the order, the officer must arrest the restrained person. (Pen. Code, §§ 836(c)(1), 13701(b).) A violation of the order may be a violation of Penal Code section 166 or 273.6.

Notice/Proof of Service

Law enforcement must first determine if the restrained person had notice of the orders. If notice cannot be verified, the restrained person must be advised of the terms of the orders. If the restrained person then fails to obey the orders, the officer must enforce them. (Fam. Code, § 6383.)

Consider the restrained person “served” (notified) if:

- The officer sees a copy of the *Proof of Service* or confirms that the *Proof of Service* is on file; or
- The restrained person was at the restraining order hearing or was informed of the order by an officer. (Fam. Code, § 6383; Pen. Code, § 836(c)(2).) An officer can obtain information about the contents of the order in the Domestic Violence Restraining Order System (DVROS). (Fam. Code, § 6381(b)-(c).)

If the Protected Person Contacts the Restrained Person

Even if the protected person invites or consents to contact with the restrained person, the orders remain in effect and must be enforced. The protected person cannot be arrested for inviting or consenting to contact with the restrained person. The orders can be changed only by another court order. (Pen. Code, § 13710(b).)

Child Custody and Visitation

The custody and visitation orders are on Form DV-140, items ③ and ④. They are sometimes also written on additional pages or referenced in DV-140 or other orders that are not part of the restraining order.

Enforcing the Restraining Order in California

Any law enforcement officer in California who receives, sees, or verifies the orders on a paper copy, in the California Law Enforcement Telecommunications System (CLETS), or in an NCIC Protection Order File must enforce the orders.

Conflicting Orders—Priorities for Enforcement

If more than one restraining order has been issued protecting the protected person from the restrained person, the orders must be enforced in the following priority (see Pen. Code, § 136.2 and Fam. Code, §§ 6383(h)(2), 6405(b)):

1. *EPO*: If one of the orders is an *Emergency Protective Order* (Form EPO-001) and it is more restrictive than other restraining or protective orders, it has precedence in enforcement over all other orders.
2. *No-Contact Order*: If there is no EPO, a no-contact order that is included in a restraining or protective order has precedence in enforcement over any other restraining or protective order.
3. *Criminal Order*: If none of the orders includes a no-contact order, a domestic violence protective order issued in a criminal case takes precedence in enforcement over any conflicting civil court order. Any nonconflicting terms of the civil restraining order remain in effect and enforceable.
4. *Family, Juvenile, or Civil Order*: If more than one family, juvenile, or other civil restraining or protective order has been issued, the one that was issued last must be enforced.

(Clerk will fill out this part.)

—Clerk's Certificate—

Clerk's Certificate
[seal]

I certify that this *Restraining Order After Hearing (Order of Protection)* is a true and correct copy of the original on file in the court.

Date: _____ Clerk, by _____, Deputy

This is a Court Order.

This form is attached to (check one): ☐ DV-110 ☐ DV-130

1 **Name of Protected Person:** _____ ☐ Mom ☐ Dad ☐ Other*

2 **Other Parent's Name:** _____ ☐ Mom ☐ Dad ☐ Other*

* If Other, specify relationship to child: _____

The Court Orders:

3 ☐ **Child Custody** is ordered as follows:

Legal Custody to: (Person who makes decisions about health, education. Check at least one.)

Physical Custody to: (Person the child lives with. Check at least one.)

| Child's Name | Date of Birth | Mom | Dad | Other* | Mom | Dad | Other* |
|--------------|---------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|
| a. _____ | _____ | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b. _____ | _____ | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| c. _____ | _____ | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

☐ If more children, check here. Attach a sheet of paper and write "DV-140, Child Custody" for a title.

* If Other, specify relationship to child and name of person: _____

4 ☐ **Child Visitation** is ordered as follows:

a. ☐ No visitation to ☐ Mom ☐ Dad ☐ Other (name): _____

b. ☐ See the attached _____ - page document, dated: _____

c. ☐ The parties must go to mediation at: _____

d. ☐ Until the next court order, visitation for ☐ Mom ☐ Dad ☐ Other (name): _____ will be:

(1) ☐ **Weekends** (starting): _____ (The 1st weekend of the month is the 1st weekend with a Saturday.)

☐ 1st ☐ 2nd ☐ 3rd ☐ 4th ☐ 5th weekend of month

from _____ at _____ ☐ a.m. ☐ p.m. to _____ at _____ ☐ a.m. ☐ p.m.
(day of week) (time) (day of week) (time)

(2) ☐ **Weekdays** (starting): _____

from _____ at _____ ☐ a.m. ☐ p.m. to _____ at _____ ☐ a.m. ☐ p.m.
(day of week) (time) (day of week) (time)

(3) ☐ **Other Visitation**

Check here and attach a sheet of paper if there are other visitation days and times, like holidays, birthdays, sports events. List dates and times. Write "DV- 140, Other Visitation" for a title.

5 ☐ **Supervised Visitation or Exchange**

Visits and/or exchanges of children are supervised as specified on Form DV-150, *Supervised Visitation and Exchange Order*.

This is a Court Order.

6 Responsibility for Transportation for Visitation

“Responsibility for transportation” means the parent will take or pick up the child or make arrangements for someone else to do so.

- a. ☐ Mom ☐ Dad ☐ Other (name): _____ **take children to** the visits.
b. ☐ Mom ☐ Dad ☐ Other (name): _____ **pick up children from** the visits.
c. ☐ Drop-off / pick-up of children will be at (address): _____

7 Travel with Children

☐ Mom ☐ Dad ☐ Other (name): _____ **must** have written permission from the other parent, or a court order, to take the children outside of:

- a. ☐ The State of California
b. ☐ The United States of America
c. ☐ Other place(s) (list): _____

8 Child Abduction

There is a risk that one of the parents will take the children out of California without the other parent's permission. ☐ The orders in Form DV-145, *Order: No Travel with Children*, are attached and must be obeyed. (Fill out and attach Form DV-145 to this form.)

9 Other Orders

Check here and attach any other orders to this form. Write “DV-140, Other Orders” as a title.

10 Jurisdiction

This court has jurisdiction to make child custody orders in this case under the Uniform Child Custody Jurisdiction and Enforcement Act (part 3 of the California Family Code starting with § 3400).

11 Notice and Opportunity to Be Heard

The responding party was given reasonable notice and an opportunity to be heard as provided by the laws of the State of California.

12 Country of Habitual Residence

The country of habitual residence of the child or children in this case is ☐ The United States of America or ☐ Other (specify): _____.

13 Penalties for Violating This Order

If you violate this order, you may be subject to civil or criminal penalties, or both.

14 Duration of Child Custody, Visitation, and Support Orders

If this form is attached to Form DV-130 (*Restraining Order After Hearing*), the custody and visitation orders in this form remain in effect after the restraining orders on Form DV-130 end.

This is a Court Order.

This form is attached to DV-140, *Child Custody and Visitation Order*.

① **Name of Protected Person:** _____ ☐ Mom ☐ Dad ☐ Other*

② **Other Parent's Name:** _____ ☐ Mom ☐ Dad ☐ Other*

*If Other, specify relationship to child: _____

The Court Finds:

③ There is a risk that (*name of parent*): _____ might take the children without permission because that parent (*check all that apply*):

- a. ☐ Has violated—or threatened to violate—a custody or visitation order in the past
- b. ☐ Does not have strong ties to California
- c. ☐ Has done things that make it easy for him or her to take the child without permission.

He or she has (*check all that apply*):

- | | |
|--------------------------------------------------------------------------------------------------|--------------------------------------------------------|
| <input type="checkbox"/> Quit his or her job | <input type="checkbox"/> Sold his or her home |
| <input type="checkbox"/> Closed a bank account | <input type="checkbox"/> Ended a lease |
| <input type="checkbox"/> Sold or gotten rid of assets | <input type="checkbox"/> Hidden or destroyed documents |
| <input type="checkbox"/> Applied for a passport, birth certificate, or school or medical records | |

- d. ☐ Has a history of (*check all that apply*):
 - ☐ Domestic violence
 - ☐ Child abuse
 - ☐ Not cooperating with the other parent in parenting
 - ☐ Taking the children without permission

e. ☐ Has a criminal record

f. ☐ Has family or emotional ties to another county, state or foreign country

Note: If (f) is checked, at least one other item in items (a)–(e) must be checked also.

The Court Orders:

The Court makes the orders, checked below, to prevent the parent in ③ from taking the children without permission. These orders are valid in other states and any country that has signed The Hague Convention on the Civil Aspects of International Child Abduction.

④ ☐ **Post a Bond**

The parent in ③ must post a bond for \$ _____ .

⑤ ☐ **Do Not Move Without Written Permission of the Other Parent or Court Order**

The parent in ③ must **not** move with the children outside ☐ This county ☐ California

☐ The United States

Other (*specify*): _____
without written permission from the other parent or a court order.

⑥ ☐ **Do Not Travel Without Permission of the Other Person or Court Order**

The parent in ③ must **not** travel with the children outside (*check all that apply*):

☐ This county ☐ California ☐ The United States ☐ Other (*specify*): _____

without written permission of the other parent or a court order. _____

This is a Court Order.

- 7** ☐ **Notify Other State of Travel Restrictions**
The parent in **(3)** must register this order in the state of _____ before the children can travel to that state for visits.
- 8** ☐ **Turn In and Do Not Apply for Passports or Other Vital Documents**
The parent in **(3)** must *not* apply for passports or other documents (such as visas or birth certificates) that can be used for travel, and must turn in the following documents: _____

- 9** ☐ **Provide Itinerary and Other Travel Documents**
The parent in **(3)** must give the other parent the following before traveling with the children:
☐ The children's travel itinerary
☐ Copies of round-trip airline tickets
☐ Addresses and telephone numbers where the children can be reached
☐ An open airline ticket for the other parent in case the children are not returned
☐ Other (*specify*): _____
- 10** ☐ **Notify Foreign Embassy or Consulate of Passport Restrictions**
The parent in **(3)** must notify the embassy or consulate of _____ of this order and provide the court with proof of that notification within _____ calendar days.
- 11** ☐ **Foreign Custody and Visitation Order**
The parent in **(3)** must get a foreign custody and visitation order equal to the most recent U.S. order before the children can travel to that country for visits. The court recognizes that foreign orders may be changed or enforced depending on the laws of that country.
- 12** ☐ **Enforcing the Order**
The court authorizes any law enforcement officer to enforce this order. In this county, contact the Child Abduction Unit of the Office of the District Attorney at:

- 13** ☐ **Other**

Notice to Authorities in Other States and Countries

This court has jurisdiction to make child custody orders under California's Uniform Child Custody Jurisdiction and Enforcement Act (California Family Code, part 3, § 3400 et seq.) and The Hague Convention on the Civil Aspects of International Child Abduction (42 U.S.C. § 11601 et seq.). If jurisdiction is based on other factors, they will be listed in paragraph 13 above.

This is a Court Order.

This form is attached to ☐ DV-110, *Temporary Restraining Order* ☐ DV-130, *Restraining Order After Hearing*
☐ DV-140, *Child Custody and Visitation Order*

1 Name of Protected Person: _____ ☐ Mom ☐ Dad ☐ Other*

2 Other Parent's Name: _____ ☐ Mom ☐ Dad ☐ Other*

**If Other, specify relationship to child:* _____

The Court Orders:**3 Mediation, Visitation and Exchange**

- a. ☐ Parties must go to mediation at: _____
- b. ☐ Visitation of children is supervised.
Parent to be supervised is: ☐ Mom ☐ Dad ☐ Other (*name*): _____
- c. ☐ Exchanges of children are supervised.

4 Schedule of Supervised Visits

- a. ☐ All visits as provided in the schedule on Form DV-140, item **4**(d) are to be supervised.
- b. ☐ Supervised visits shall be _____ visit(s) per week of _____ hours(s) each, to be arranged with the provider.
- c. ☐ Other schedule of supervised visits is attached. (*Check here and attach a sheet of paper with "DV-150, Other Schedule" for a title.*)

5 Type of Provider

- a. ☐ Professional (individual or supervised visitation center)
- b. ☐ Nonprofessional
- c. ☐ Therapeutic (licensed mental health professional)

6 Provider's Information

Name: _____

Telephone number: _____

Address: _____

7 Costs Will Be Paid As Follows:

- ☐ Mom to pay: _____ %
- ☐ Dad to pay: _____ %
- ☐ Other: _____

8 Contact With Provider

- ☐ Mom to contact provider before (*date*): _____
- ☐ Dad to contact provider before (*date*): _____
- ☐ Other: _____

9 The court also orders (*specify*): _____

This is a Court Order.

| | |
|-----------------------------------------------------------------|--------------|
| PETITIONER/PLAINTIFF: RESPONDENT/DEFENDANT: OTHER PARENT: | CASE NUMBER: |
|-----------------------------------------------------------------|--------------|

CHILD SUPPORT INFORMATION AND ORDER ATTACHMENT

- TO ☐ Findings and Order After Hearing (form FL-340) ☐ Judgment (form FL-180)
☐ Restraining Order After Hearing (CLETS-OAH)(form DV-130)
☐ Other (specify):

THE COURT USED THE FOLLOWING INFORMATION IN DETERMINING THE AMOUNT OF CHILD SUPPORT:

1. ☐ A printout of a computer calculation and findings is attached and incorporated in this order for all required items not filled out below.
2. ☐ **Income**

| | <u>Gross monthly income</u> | <u>Net monthly income</u> | <u>Receiving TANF/CalWORKS</u> |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------|-----------------------------------------------------------|--------------------------------|
| a. Each parent's monthly income is as follows: | | | |
| Petitioner/plaintiff: \$ | \$ | \$ | <input type="text"/> |
| Respondent/defendant: \$ | \$ | \$ | <input type="text"/> |
| Other parent: \$ | \$ | \$ | <input type="text"/> |
| b. Imputation of income. The court finds that the <input type="checkbox"/> petitioner/plaintiff <input type="checkbox"/> respondent/defendant <input type="checkbox"/> other parent has the capacity to earn: | | | |
| \$ | per | and has based the support order upon this imputed income. | |
3. ☐ **Children of this relationship**
 - a. Number of children who are the subjects of the support order (specify):
 - b. Approximate percentage of time spent with

| | |
|-----------------------|---|
| petitioner/plaintiff: | % |
| respondent/defendant: | % |
| other parent: | % |
4. ☐ **Hardships**

Hardships for the following have been allowed in calculating child support:

| | <u>Petitioner/ plaintiff</u> | <u>Respondent/ defendant</u> | <u>Other parent</u> | <u>Approximate ending time for the hardship</u> |
|-------------------------------------------------------------|----------------------------------|----------------------------------|---------------------|-----------------------------------------------------|
| a. <input type="checkbox"/> Other minor children: | \$ | \$ | \$ | |
| b. <input type="checkbox"/> Extraordinary medical expenses: | \$ | \$ | \$ | |
| c. <input type="checkbox"/> Catastrophic losses: | \$ | \$ | \$ | |

THE COURT ORDERS

5. ☐ **Low-income adjustment**
 - a. ☐ The low-income adjustment applies.
 - b. ☐ The low-income adjustment does not apply because (specify reasons):
6. ☐ **Child support**
 - a. **Base child support**

| | | | |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------|---------------------------------------|------------------------------------------|
| <input type="checkbox"/> Petitioner/plaintiff | <input type="checkbox"/> Respondent/defendant | <input type="checkbox"/> Other parent | must pay child support beginning (date): |
| and continuing until further order of the court, or until the child marries, dies, is emancipated, reaches age 19, or reaches age 18 and is not a full-time high school student, whichever occurs first, as follows: | | | |
| <u>Child's name</u> | <u>Date of birth</u> | <u>Monthly amount</u> | <u>Payable to (name):</u> |

Payable ☐ on the 1st of the month ☐ one-half on the 1st and one-half on the 15th of the month
☐ other (specify):

THIS IS A COURT ORDER.

| | |
|-----------------------------------------------------------------|--------------|
| PETITIONER/PLAINTIFF: RESPONDENT/DEFENDANT: OTHER PARENT: | CASE NUMBER: |
|-----------------------------------------------------------------|--------------|

THE COURT FURTHER ORDERS

6. b. ☐ **Mandatory additional child support**

- (1) ☐ Child-care costs related to employment or reasonably necessary job training
- (a) ☐ Petitioner/plaintiff must pay: % of total or \$ per month child-care costs.
- (b) ☐ Respondent/defendant must pay: % of total or \$ per month child-care costs.
- (c) ☐ Other parent must pay: % of total or \$ per month child-care costs.
- (d) ☐ Costs to be paid as follows (*specify*):

c. **Mandatory additional child support**

- (2) ☐ Reasonable uninsured health-care costs for the children
- (a) ☐ Petitioner/plaintiff must pay: % of total or \$ per month.
- (b) ☐ Respondent/defendant must pay: % of total or \$ per month.
- (c) ☐ Other parent must pay: % of total or \$ per month.
- (d) ☐ Costs to be paid as follows (*specify*):

d. ☐ **Additional child support**

- (1) ☐ Costs related to the educational or other special needs of the children
- (a) ☐ Petitioner/plaintiff must pay: % of total or \$ per month.
- (b) ☐ Respondent/defendant must pay: % of total or \$ per month.
- (c) ☐ Other parent must pay: % of total or \$ per month.
- (d) ☐ Costs to be paid as follows (*specify*):
- (2) ☐ Travel expenses for visitation
- (a) ☐ Petitioner/plaintiff must pay: % of total or \$ per month.
- (b) ☐ Respondent/defendant must pay: % of total or \$ per month.
- (c) ☐ Other parent must pay: % of total or \$ per month.
- (d) ☐ Costs to be paid as follows (*specify*):

e. ☐ **Non-Guideline Order**

This order does not meet the child support guideline set forth in Family Code section 4055. *Non-Guideline Child Support Findings Attachment* (form FL-342(A)) is attached.

| |
|------------------------------------------|
| Total child support per month: \$ |
|------------------------------------------|

7. Health-care expenses

- a. Health insurance coverage for the minor children of the parties must be maintained by the ☐ petitioner/plaintiff ☐ respondent/defendant ☐ other parent if available at no or reasonable cost through their respective places of employment or self-employment. Both parties are ordered to cooperate in the presentation, collection, and reimbursement of any health-care claims. The parent ordered to provide health insurance must seek continuation of coverage for the child after the child attains the age when the child is no longer considered eligible for coverage as a dependent under the insurance contract, if the child is incapable of self-sustaining employment because of a physically or mentally disabling injury, illness, or condition and is chiefly dependent upon the parent providing health insurance for support and maintenance.
- b. ☐ Health insurance is not available to the ☐ petitioner/plaintiff ☐ respondent/defendant ☐ other parent at a reasonable cost at this time.
- c. ☐ The party providing coverage must assign the right of reimbursement to the other party.

8. Earnings assignment

An earnings assignment order is issued. **Note:** The payor of child support is responsible for the payment of support directly to the recipient until support payments are deducted from the payor's wages and for payment of any support not paid by the assignment.

9. In the event that there is a contract between a party receiving support and a private child support collector, the party ordered to pay support must pay the fee charged by the private child support collector. This fee must not exceed 33 1/3 percent of the total amount of past due support nor may it exceed 50 percent of any fee charged by the private child support collector. The money judgment created by this provision is in favor of the private child support collector and the party receiving support, jointly.

10. ☐ **Employment search order (Family Code, § 4505)**

☐ Petitioner/plaintiff ☐ Respondent/defendant ☐ Other parent is ordered to seek employment with the following terms and conditions:

THIS IS A COURT ORDER.

| | |
|-----------------------------------------------------------------|--------------|
| PETITIONER/PLAINTIFF: RESPONDENT/DEFENDANT: OTHER PARENT: | CASE NUMBER: |
|-----------------------------------------------------------------|--------------|

11. **Other orders** (*specify*):

12. **Notices**

- a. *Notice of Rights and Responsibilities (Health-Care Costs and Reimbursement Procedures) and Information Sheet on Changing a Child Support Order* (form FL-192) must be attached and is incorporated into this order.
- b. If this form is attached to *Restraining Order After Hearing* (form DV-130), the support orders issued on this form (form FL-342) remain in effect after the restraining orders issued on form DV-130 end.

13. **Child Support Case Registry Form**

Both parties must complete and file with the court a *Child Support Case Registry Form* (form FL-191) within 10 days of the date of this order. Thereafter, the parties must notify the court of any change in the information submitted within 10 days of the change by filing an updated form.

NOTICE: Any party required to pay child support must pay interest on overdue amounts at the legal rate, which is currently 10 percent per year.

THIS IS A COURT ORDER.

| | |
|-----------------------------------------------------------------|--------------|
| PETITIONER/PLAINTIFF: RESPONDENT/DEFENDANT: OTHER PARENT: | CASE NUMBER: |
|-----------------------------------------------------------------|--------------|

SPOUSAL, PARTNER, OR FAMILY SUPPORT ORDER ATTACHMENT

TO ☐ Findings and Order After Hearing ☐ Judgment ☐ Other (specify):

THE COURT FINDS

1. A printout of a computer calculation of the parties' financial circumstances is attached for all required items not filled out below.

2. **Net income.** The parties' monthly income and deductions are as follows (complete a, b, or both):

| | Total gross monthly income | Total monthly deductions | Total hardship deductions | Net monthly disposable income |
|-----------------------------------------------------------------|----------------------------------|--------------------------------|---------------------------------|-------------------------------------|
| a. Petitioner: <input type="checkbox"/> receiving TANF/CalWORKS | | | | |
| b. Respondent: <input type="checkbox"/> receiving TANF/CalWORKS | | | | |

3. **Other factors regarding spousal or partner support**

- a. ☐ The parties were married for (specify numbers): _____ years _____ months.
 b. ☐ The parties were registered as domestic partners or the equivalent on (date): _____
 c. ☐ The Family Code section 4320 factors were considered, as listed in Attachment 3c.
 d. ☐ The marital standard of living was (describe): _____

☐ See Attachment 3d.

e. ☐ Other (specify): _____

THE COURT ORDERS

4. a. The ☐ petitioner ☐ respondent must pay to the ☐ petitioner ☐ respondent
 as ☐ temporary ☐ spousal support ☐ family support ☐ partner support
 \$ _____ per month, beginning (date): _____, payable through (specify end date): _____

☐ payable on the (specify): _____ day of each month.

☐ Other (specify): _____

- b. ☐ Support must be paid by check, money order, or cash. The support payor's obligation to pay support will terminate on the death, remarriage, or registration of a new domestic partnership of the support payee.
- c. ☐ An earnings assignment for the foregoing support will issue. (**Note:** The payor of spousal, family, or partner support is responsible for the payment of support directly to the recipient until support payments are deducted from the payor's earnings, and for any support not paid by the assignment.)
- d. ☐ Service of the earnings assignment is stayed provided the payor is not more than (specify number): _____ days late in the payment of spousal, family, or partner support.

| | |
|-----------------------------------------------------------------|--------------|
| PETITIONER/PLAINTIFF: RESPONDENT/DEFENDANT: OTHER PARENT: | CASE NUMBER: |
|-----------------------------------------------------------------|--------------|

5. ☐ The parties must promptly inform each other of any change of employment, including the employer's name, address, and telephone number.
6. ☐ **NOTICE:** It is the goal of this state that each party must make reasonable good faith efforts to become self-supporting as provided for in Family Code section 4320. The failure to make reasonable good faith efforts may be one of the factors considered by the court as a basis for modifying or terminating support.
7. ☐ This order is for family support. Both parties must complete and file with the court a *Child Support Case Registry Form* (form FL-191) within 10 days of the date of this order. The parents must notify the court of any change of information submitted within 10 days of the change by filing an updated form. Form FL-192, *Notice of Rights and Responsibilities and Information Sheet on Changing a Child Support Order*, is attached.
8. ☐ The issue of spousal or partner support for the ☐ petitioner ☐ respondent is reserved for a later determination.
9. ☐ The court terminates jurisdiction over the issue of spousal or partner support for the ☐ petitioner ☐ respondent.
10. ☐ Other (*specify*):

| |
|-------------------------------------------------------------------------------------------------------------------------------------------|
| NOTICE: Any party required to pay support must pay interest on overdue amounts at the “legal” rate, which is currently 10 percent. |
|-------------------------------------------------------------------------------------------------------------------------------------------|

What is “service”?

Service is the act of giving your legal papers to the other person. There are many kinds of service—in person, by mail, and others. This form is about personal or “in-person” service. The *Notice of Court Hearing* (Form DV-109), *Request for Domestic Violence Restraining Order* (Form DV-100) and *Temporary Restraining Order* (Form DV-110) must be served “in person.” That means someone—not you or anyone else protected by the order—must personally “serve” (give) the person to be restrained a copy of the forms. You cannot send them by mail.

Service lets the other person know:

- What orders you are asking for
- The hearing date
- How to respond

Why do I have to get the orders served?

- The **police cannot arrest** anyone for violating an order **unless** the restrained person knows about the order.
- The **judge cannot make the orders permanent** unless the restrained person was served.

**Who can serve?**

Ask someone you know, a process server, or a law enforcement agency (for example, a sheriff) to personally serve (give) a copy of the orders to the person to be restrained. You **cannot** send the forms to that person by mail.

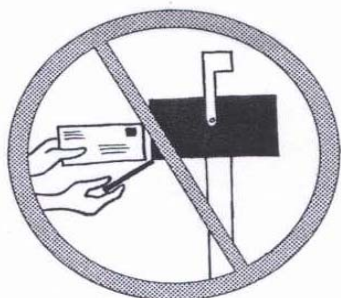
The server must:

- Be 18 years of age or over
- Not be you or anyone to be protected by the orders

A sheriff can serve the order at no cost to you.

A “registered process server” is a business you pay to deliver court forms. Look for “Process Serving” in the Yellow Pages or on the Internet.

(If a law enforcement agency or the process server uses a different Proof of Service form, make sure it lists the forms served.)



Don't serve it by mail!

How to Serve

Ask the server to:

- Walk up to the person to be served.
- Make sure it's the right person. Ask the person's name.
- Give the person copies of all papers checked on Form DV-200, *Proof of Personal Service*.
- Fill out and sign Form DV-200.
- Give the signed Form DV-200 to you.

What if the person won't take the papers or tears them up?

- If the person won't take the papers, just leave them near him or her.
- It doesn't matter if the person tears them up.



When do the orders have to be served?

It depends. To know the exact date, you have to look at two things on Form DV-109:

First, look at the hearing date on page 1 of Form DV-109. Next, look at the number of days written in item ⑤ on page 2.

③ **Notice of Court Hearing**
A court hearing is scheduled on the requested date and time.

| | | |
|--------------|---------------|-------------|
| Hearing Date | → Date: _____ | Time: _____ |
| | Dept.: _____ | Room: _____ |

⑤ **Service of Documents and Time for Service**
At least ☐ five or ☐ _____ days before the hearing, the person who is **protected**—must personally give (serve) a copy of the orders to the person in ② along with a copy of the following:

- Form DV-100, *Request for Domestic Violence Restraining Order*
- ☐ Form DV-110, *Temporary Restraining Order* and a copy of the judge's order
- Form DV-120, *Response to Request for Restraining Order* or Form DV-250, *Proof of Personal Service*

Look at a calendar. Subtract the number of days in item ⑤ from the hearing date. That's the final date to have the orders served. It's always OK to serve earlier than that date.

If nothing is written in item ⑤ you must have the papers served at least 5 days before the hearing.

Who signs the *Proof of Personal Service*?

Only the person who serves the orders can sign the *Proof of Personal Service* (Form DV-200). You do not sign it. The person to be restrained does not sign it.

What happens if I cannot get the papers served before the hearing date?

Before your hearing, fill out and file a *Request to Continue Hearing and Reissue Temporary Restraining Order* (Form DV-115) and *Notice of New Hearing Date and Order on Reissuance* (Form DV-116). These forms ask the judge for a new hearing date and make any temporary orders last until then. Ask the clerk for the forms or go to www.courts.ca.gov.

You **must** attach a copy of Form DV-115 and DV-116 to a copy of your original order. That way, the police will know your orders are still in effect. And the restrained person will be served with notice of the new hearing date. For more information on getting a new hearing date, read Form DV-115-INFO, *How to Ask for a New Hearing Date*.

What do I do with the completed *Proof of Personal Service*?

Bring a copy of the original *Proof of Personal Service* (Form DV-200) to your hearing.

If the sheriff serves the orders, he or she will send the *Proof of Personal Service* to the court and CLETS (California Law Enforcement Telecommunications System), a statewide computer system that lets police know about your order, for you.

If someone other than the sheriff serves the orders, you should:

- If possible, file the original *Proof of Personal Service* (Form DV-200) with the court at least 2 days before your hearing. If you were unable to do this, bring the original *Proof of Personal Service* to your hearing.
- The clerk will send it to CLETS.
- Always keep an extra copy of the restraining orders with you for your safety.

Clerk stamps date here when form is filed.

1 Name of Person Asking for Protection: _____**2 Name of Person to Be Restrained:** _____**3 Notice to Server**

The server must:

- Be 18 years of age or older.
- Not be listed in items **1** or **3** of form DV-100, *Request for Domestic Violence Restraining Order*.
- Give a copy of all documents checked in **4** to the restrained person in **2**. (You cannot send them by mail.) Then complete and sign this form, and give or mail it to the person in **1**.



Fill in court name and street address:

Superior Court of California, County of _____

Fill in case number:

Case Number: _____**4** I gave the person in **2** a copy of all the documents checked:

- a. ☐ DV-109 with DV-100 and a blank DV-120 (*Notice of Court Hearing; Request for Domestic Violence Restraining Order; blank Response to Request for Domestic Violence Restraining Order*)
- b. ☐ DV-110 (*Temporary Restraining Order*)
- c. ☐ DV-105 and DV-140 (*Request for Child Custody and Visitation Orders, Child Custody and Visitation Order*)
- d. ☐ FL-150 with a blank FL-150 (*Income and Expense Declaration*)
- e. ☐ FL-155 with a blank FL-155 (*Financial Statement (Simplified)*)
- f. ☐ DV-115 (*Request to Continue Hearing and Reissue Temporary Restraining Order*)
- g. ☐ DV-116 (*Notice of New Hearing Date and Order on Reissuance*)
- h. ☐ DV-130 (*Restraining Order After Hearing*)
- i. ☐ Other (*specify*): _____

5 I personally gave copies of the documents checked above to the person in **2** on:a. Date: _____ b. Time: _____ ☐ a.m. ☐ p.m.

c. At this address: _____

City: _____ State: _____ Zip: _____

6 Server's Information

Name: _____

Address: _____

City: _____ State: _____ Zip: _____

Telephone: _____

(If you are a registered process server):

County of registration: _____ Registration number: _____

7 I declare under penalty of perjury under the laws of the State of California that the information above is true and correct.

Date: _____

*Type or print server's name*_____
Server to sign here